

BOSTON PUBLIC LIBRARY



3 9999 08653 692 5



Accessions

26,264

Shelf No.

7585,25



GIVEN BY

The Estate of L. E. Serrall
April 29, 1891

AN

Ph. covers
1 cop. in Ph. 84264.50
ACCOUNT

OF THE

INTERVIEWS WHICH TOOK PLACE

ON THE FOURTH AND EIGHTH OF MARCH,

7586.25
BETWEEN A

COMMITTEE OF THE MASSACHUSETTS

ANTI-SLAVERY SOCIETY, *B*

AND THE

COMMITTEE OF THE LEGISLATURE.

BOSTON:

PUBLISHED BY THE MASSACHUSETTS ANTI-SLAVERY SOCIETY.

PRINTED BY ISAAC KNAPP.

1836.

(26,264)

Estate of S. E. Sewall

Apr. 29, 1891.

FIRST INTERVIEW.

His Excellency, the Governor of this Commonwealth, saw fit to introduce into his inaugural speech, a severe censure of the Abolitionists, and to intimate his belief that they were guilty of an offence, punishable at common law. This part of the speech was referred to a joint committee of five, of which Hon. George Lunt was chairman. To the same committee were also referred communications, which had been received by our Governor, from several of the Legislatures of the slaveholding states, requesting our General Court to enact laws, making it *penal* for the citizens of this state to form societies for the abolition of slavery, or to speak or publish sentiments, such as have been uttered in anti-slavery meetings, and published in anti-slavery tracts and papers.

By order of the Managers of the Massachusetts Anti-Slavery Society, the Corresponding Secretary addressed the following letter to the Committee of the Legislature.

Boston, Feb. 16, 1836.

‘HONORABLE GEORGE LUNT—

Sir,—Formerly it would have been deemed by us unnecessary and impertinent, to have taken any measures to avert any act of the Legislature of Massachusetts, tending to destroy the liberties of speech, and of the press; and to perpetuate oppression and slavery in our land. But the events of the past year have revealed to us a frightful diminution, even in New England, of ‘that reverence for liberty, which is the vital principle of our republic.’ The outrages, to which we allude, have been produced, and to a great extent we fear, are excused in the public estimation, by the gross misrepresentations that are prevalent, of the sentiments and purposes of the abolitionists. Not knowing how far the members of your Committee may have been misinformed on this subject, we beg leave to assure you, that we have not done any thing, which the Legislature can either righteously or constitutionally forbid us to do. In support of this declaration, we appeal to all our publications, and to all the publications of all the societies, with which we are connected. Any or all of these publications we shall be happy, at any time, to submit to the examination of your Committee. Besides which, sir, before you make a report to the Legislature concerning our course of measures, we ask to be permitted to appear before you, to explain and justify that course. We request you to appoint any time and place for this interview, which may be convenient to yourselves.

By order of the Board of Managers of the Massachusetts Anti-Slavery Society.

SAMUEL J. MAY, Cor. Secretary.

‘N. B. I send herewith a parcel containing a copy of our late Annual Report, for each of the Members of your Committee.’

[We request the reader to notice particularly the tenor of this letter—that we sought an interview with the Committee, not so much to exculpate ourselves from the charges alleged against us, as to avert any action of the Legislature that might infringe the liberty of speech, or of the press.]

The request was granted, and on the 4th of March the proposed interview took place, in the chamber of the Representatives. There were present, on the part of the Legislature, Messrs. Lunt and Chapin of the Senate, and Messrs. Moseley and Lucas of the House. On the part of the Anti-Slavery Society, Messrs. Southwick, May, Loring, Sewall, Garrison, Follen, Farnsworth, Jackson and Goodell.

Mr. Lucas, one of the Legislative Committee, objected to the proceeding—thought the gentlemen, who had sought this interview, were premature. They had no reason to pre-suppose the Legislature would do any thing prejudicial to them. They ought to have waited, he said, until the Committee had reported, before they proceeded on the supposition, that they were to be injured.

Mr. May replied that he thought he and his associates could not be mistaken in the present case. They belonged to that class of persons, spoken of in the Governor’s Speech, in terms of severe censure—and to whom the communications referred, which had been received from several southern states, and upon which this Committee had been instructed by the Legislature to report. Mr. May read one or two of the resolutions of the southern Legislatures, respecting abolitionists and anti-slavery societies, and added can the gentleman (Mr. Lucas) or this Committee have any doubt that we, members of the Mass. Anti-Slavery Society, are a portion of that class of persons upon whom the Legislature of this Commonwealth is called upon to pass censure? Surely not. Now it is on purpose to avert any action of this General Court that might infringe the liberty of speech and of the press, that we have asked permission to show to the Committee why, we conceive there should be no leg

slative censures in any way passed upon abolitionists, and anti-slavery societies.

Mr. Lucas replied it was not to be supposed the Legislature of this Commonwealth would enact any law, abridging the liberty of speech and of the press. This could not be done constitutionally. It was very improper in the gentlemen of the anti-slavery society to proceed to this supposition.

Mr. May rejoined, that formerly it might indeed have seemed a gratuitous, nay, even an impertinent apprehension in any of the citizens of Massachusetts to fear that the Legislature of this state would enact any law, or take any action, inauspicious to the most sacred rights of the citizens. But recent events have admonished us, that we may not safely rely any longer upon the assurance that our liberties are safe. Alarming encroachments have been made upon them already. And 'that reverence for liberty which' as Mr. Pickney of Maryland said, in 1789, 'is at the foundation of republican institutions,' has greatly diminished among us, owing to our acquiescence in the system of slavery. We do not fear, he continued, that this Committee will recommend, or that our Legislature will enact, a penal law against abolitionists. But we do apprehend that condemnatory resolutions may be prepared and passed—and these we should deprecate more even than a penal law, for reasons which we wish to give to this Committee.

[Here the Committee conferred together.]

Mr. Moseley said—I wish all the information I can get on this subject. I hope nothing will preclude a hearing. I must act in relation to it, and am now in a great degree ignorant. I wish to know how far abolitionism goes;—what it is tending to do,—and what it is. Though I am opposed to the measures of the abolitionists, yet no opinions from a respectable body of men are unworthy of regard.

Mr. Lucas withdrew his objections.

Mr. May then proceeded to give some sketch of the origin and history of the abolition movements. The feeling of opposition to slavery had its origin in that principle of our nature, which leads us to sympathize with the oppressed. He illustrated by a reference to the Poles, &c. He then stated that this feeling for the slaves had led to the formation of the New England, now the Massachusetts, Anti-Slavery Society, and subsequently to the American Anti-Slavery Society, located at New York, and to many state and smaller, auxiliary societies. These all are composed of men and women, associated to overthrow the system of American slavery, by all the intellectual and moral power they possess. This object they had no desire to keep secret. They have published it to the world, and their determination to persevere, unless the liberty of speech and of the press is taken from them.

Mr. May was proceeding to give a sketch of the

evils of slavery, social, political and moral, which had roused the Abolitionists to the efforts they are making.

Mr. Lunt, the chairman, here interposed, and said that there was but one opinion on that point, and that such remarks were unnecessary.

Mr. May resumed and gave a description of several important documents, which he presented to the committee. He explained what is meant by immediate emancipation;—defended the publications from the charge of incendiarism,—and spoke of the distribution of their publications by mail. If the Bible is incendiary, if the Declaration of Independence is incendiary, then are our anti-slavery documents. If they are incendiary, why is not the incendiary matter pointed out to us? Why, in calling on the northern legislators to put down the abolitionists, are not specific charges brought against us, and the criminal documents furnished? As to the distribution, no publication has been sent by the society to any colored man south of Washington. They are sent to the masters.

Mr. Lucas. You say, Mr. M., that the only weapons you use, or intend to use, are moral weapons. Are these things of that description—showing him several of the pictures in the Anti-Slavery Record, which Mr. M. had laid before the committee among other documents—are such things, which are evidently calculated to irritate the slaveholders, are these things a part of your moral weapons?

Mr. May. They are sir. Surely one of the means by which we may hope to effect a moral reformation is the exposure of the sin, from which we aim to reform the community. Pictorial representation is a very fair means of exposing the evil—and we make use of it—and consider it a moral weapon.

Mr. Lucas then quoted from memory some expression, used by a man of ardent feelings, which, out of its connection, seemed to refer to something more than moral suasion.

Mr. May. I do not remember to have seen that expression. I do not like it, but it is not insurrectionary. I do not say, sir, that there have not been in our publications some sentences in bad taste and some in bad temper; but I do deny that there have been any, exciting the slaves or their friends to insurrection.

Mr. Lunt. You said, Mr. May, that though you had not sent your publications to people of color, yet that you did not disclaim the right to do it, if you thought best.

Mr. May. I did say so—because we regard the slaves as men, who may be always treated as men—and because there is nothing in our publications designed or adapted to rouse them to insurrection. On the contrary, they uniformly condemn a resort to violence. But for reasons which we deem sufficient, we have not sent and shall not send our publications to the slaves, nor to the free colored people. These reasons,

sir, are given in our last Annual Report. [Mr. M. here read from the report, p 18.]

'We have refrained from sending our publications to the slaves, for four reasons. First.—They are not addressed nor adapted to the slaves, but to their masters. Secondly.—If sent, they probably would never reach the slaves, so vigilant is the espionage of their oppressors. Thirdly.—If they should get safely to their hands, they could not read them. Fourthly.—We fear, if any of our publications should be found in their hands, they would be as fuel added to the fire of their afflictions. For similar reasons, we have never sent from the office in Boston, and the Secretary of the Society at New York assures us, he has never knowingly sent anything, to the free colored people south of Washington City. In that city, there were two or three colored men who were subscribers to our publications. If, further south, there have been other subscribers of that description—they have not been known to us as such. That very few, if any, have gone into their hands, is evident from the accounts given by the southern Post-masters, of the contents of the mail bags, which they have had the audacity to examine. Only one, we believe, reports that he found anything for free colored persons, and he does not quote a word to prove, that what he found was insurrectionary.'

Ellis Gray Loring, Esq. rose and said, that the abolitionists appeared before the Committee, in consequence of the paragraph in his Excellency's Message said to allude to them and their measures, and to interpose a remonstrance against the legislative action recommended in the Resolutions, which had been transmitted from several of the southern states, on the subject of slavery. We have respectfully claimed to be heard in answer to the charges against us, and your Committee have assigned us this time and place for that purpose. Our principles and measures are brought before you, and we would ask a patient hearing in their defence—or at least in arrest of judgment.

[One of the Committee. Do you intimate, Mr. Loring, that our verdict is made up against you?]

Mr. L. continued. I hope not—for we feel a strong interest in the decision of this Committee. A report by them in favor of laws against the free discussion of slavery—or in favor of resolutions censuring the abolitionists, would be felt by us as a deep injury. We think we have a right to ask of the Committee and of the Legislature to stand neutral between us and our opposers. Give us a fair field and no favor, and if we do not prevail, it is because the right is not with us.

We have felt it our duty to plead for the enslaved in our land. The general duty of sympathizing with and succoring the oppressed, will probably be conceded. I feel bound to begin thus far back, for we have fallen on times, when first principles are daily questioned, and we are required to demonstrate the very axioms of morals. What then is to limit our exercise, as abolitionists, of this duty and this right? I have heard of but one reply. The relations we bear to the oppressor, control, it is said, our duty to the oppressed. Let us, then, examine these relations, and see where—in we have in our publications or discussions violated 'the divine right' of the slaveholder. If we are

bound to abstain from the exercise of our moral right, in the discussion of slavery with a view to its overthrow, it must be either because we are restrained by the principles of international law, or by the Constitution of the United States, or by the laws of our own State. On the principles of international law, I need not enlarge on this occasion. The application of those principles between the states of this Union however familiar the process may be among our nullifying brethren of the South, will not find much favor in this Commonwealth. But grant the States to be foreign nations as to each other; still, nothing is gained to our opposers. We have, to be sure, an act of the United States against fitting out armaments to attack nations, with whom we are at peace; but the exertion of a moral power in favor of the enslaved ought not, and is not, to be so repressed. Those of us here who heard the thrilling eloquence of Faneuil Hall, when the Polish Standards were dedicated to the cause of freedom, or who listened ten years since to the spirit-stirring appeals of our scholars and statesmen, in behalf of the down-trodden Greeks, recked little of their 'international obligations' to 'our ancient allies,' the sultan, or the czar. It is impossible gravely to argue such a position.

Is it then in the Constitution of the United States that this restriction on our liberty of speech is to be looked for? And if so, are we to find our condemnation in its letter or in its spirit? I find there an abundant guaranty for the liberty of speech; but I look in vain, in the letter of the constitution, for any prohibition of the use of moral means, for the extirpation of slavery. The word slave does not stain its pages, and there are but three allusions to the subject, in the whole instrument. The first is in the clause authorizing slave representation in Congress. I war not with this arrangement. It forbids me not to speak my mind of slavery. The second is the article which prohibits Congress from forbidding the migration or importation of such persons as the states shall admit, (meaning by this the foreign and domestic slave-trade) until the year 1808;—and the third is the clause, which requires us to send back into slavery the poor being who has escaped from the hand of his master. What is there in all this which prevents my testifying against slavery? How much is there not in it which calls on me to speak. If the southern slaves should forcibly assert those rights which our fathers proclaimed to be the birthright of all men equally,—liberty, and the means of happiness,—you and I, Mr. Chairman, are legally liable, (under the clause in the Constitution relating to the suppression of domestic insurrection) to be drafted in the militia, in order to force down their throats with the bayonet, the doctrines of the Declaration of Independence! And if slavery bring upon me this horrible obligation, am I to be de-

nied the poor right of talking about it? If I am bound by the Acts of the United States under the heaviest penalties, to drive from my door the poor fugitive, who implores my protection,—if I am obliged, as a magistrate, against the express law of God, to sign the warrant for his delivery to his southern task-master, such obligations give me at least the right to remonstrate.

No, Mr. Chairman, I hear much of a 'Compact,' which binds me to hold my tongue on slavery—but where am I to find it? So grave an infringement of our general right of discussion, if it exist, should certainly be very plainly set down. Any law or regulation on this subject is penal in its character, and I demand that its terms be express, and that it be most strictly construed. But the truth is, no such prohibition is to be found at all. There is not one word said on the subject, in the Constitutions or laws under which we live. The continuance of slavery in the Southern States is, politically speaking, among the reserved rights of those States. The only conclusion from this is, that neither Congress nor the Legislatures of other States can legislate on slavery for any State in which it exists. All this I readily grant, nor did I ever hear it disputed by any man. But what has this to do with our efforts to overthrow slavery by moral means? Slavery, in this respect, stands on precisely the same ground with Lotteries, Intemperance, and other matters of domestic regulation. They are subjects of the reserved rights of the States, and can be acted on, for legal purposes, only by the local legislatures. But who in his senses would pretend that this fact limits the exertion of our moral influence? That it would be, for example, a violation of the Constitution of the U. S., to discuss in Massachusetts the subject of Lotteries or Intemperance—the Pennsylvania Lottery for instance, or the effect of Albany Ale—or to send tracts on these subjects into other States? What would have been thought, when South Carolina was arming herself against the General Government, of a proposition to punish the Managers of our Peace Society, for sending into that State discussions as to the unlawfulness of war, or descriptions of its horrors?

We do not claim to legislate. We wish no man to fight, even if oppressed. It is known that the abolitionists, as a class, hold the peaceful opinions of the Quakers,—but we are willing to trust our cause to 'the foolishness of preaching.' Give us our choice, and we would, ten-fold, rather have the peaceful power of affecting public sentiment, on any moral question, by argument, entreaty, description, reproof—than to be girded with the sword, or attended by the posse comitatus. Such is our opinion, and fanatical though it be called, it has been the fanaticism of every victorious reform.

But it is said, our proceedings are contrary to the *Spirit* of the Constitution. And is it then true that

the Spirit of our Constitution is the Spirit of Slavery? Wo then unto us, for 'Where the Spirit of the Lord is, there is Liberty.' What becomes of our boast of living under 'a free government'—of enjoying 'free institutions'? Was then our solemn appeal and justification before the nations, in the Declaration of Independence, only a piece of hypocrisy or rhodomontade? No, Sir, our heroic fathers would not have listened to such a supposition. Washington's recently published letters shew him to have been a warm friend to emancipation: ay, Sir, and an admiring eulogist of *immediate* emancipation, as exemplified by Lafayette on his plantation in Cayenne. Jefferson's writings contain more appalling descriptions, and more bitter denunciations of Slavery, than the abolition publications of our day,—and Franklin, Rush and John Jay were members of the first Anti-Slavery Society in this country, a Society whose avowed purpose was the abolition of slavery in all the States of this Union and which actually petitioned Congress, for that object. These great men formed our Constitution, and must be supposed to have known something of its spirit. And yet they never found there any prohibition of writing and speaking against slavery. I believe there was not one of our eminent statesmen of that period, who would not have repudiated with scorn the idea that the Constitution of the U. S. was to deprive any man in the country of the right to exercise his pen and his tongue against Slavery. Is there a man who hears me that doubts this? Sir, it has been reserved for the acumen of our own day to discover, that in a free country, the blessings and the principles of freedom are the only subjects, in Heaven or earth, that cannot properly be discussed.

We do not conceal our solicitude, Mr. Chairman, to have your Committee report against any legislative action. We think you must come to the conclusion that the Legislature has nothing to do with our efforts, any more than with those of any other philanthropic association. Still, standing here upon our defence, we ought to suppose and be prepared for the worst. Your committee may recommend the passage of penal laws against the abolitionists, or the adoption of resolutions of censure on their proceedings. I am happy to have heard it remarked by one gentleman on the Committee (Mr. Lucas) that it was impossible the Legislature should pass laws against our publications, as such laws would be a palpable infraction of the constitution of this Commonwealth. This conclusion seems so obvious, that I shall refrain from arguing on it. I need only add, that whether such laws would be constitutional or not, they seem, at the present stage of the question, at best, unnecessary. The southern states make certain general charges against the abolitionists. As far as we can understand them, we deny their truth and their application. We deny that we have ever sent our publications among the slaves, or

to any free blacks in the southern states.*—We deny that we have ever preached or encouraged the doctrine of physical resistance on the part of the slaves. No evidence is brought of the truth of the loose allegations against us. What need is there then, for action? Surely the Legislature will require that some wrong be shown, before they begin to devise a remedy.

But if legislation is unnecessary, resolutions of censure from the Legislature, or your Committee, would be far worse, for they would be unjust. Give us the gag laws, and we will submit or take the consequences. But do not sit in judgment upon our past acts. I fully recognize your right, as private individuals, to hold meetings, and to pass resolutions on us, or our measures, as you may think they deserve—but I do deny your right as a legislature, or a committee, to do any such thing. You were sent here to exercise a different trust—to make laws for the future—not to pronounce judgment on the past. What right can the Legislature have to censure the past doings of the Abolition Societies, any more than of the Temperance Societies or the Peace Society? The fact of the southern states having taken umbrage at our proceedings cannot, of itself, give you any jurisdiction over them. You may assume this power, but I respectfully submit that it would be a usurpation of power, not rightfully belonging to you. Any censure from your Committee or from the Legislature would, I repeat, be unjust, for, in whatever shape that censure may be disguised, an official censure is, and it will be understood to be, in effect a punishment. It is in substance, if not in form, a punishment. I appeal to the common sense and candor of every honest man here, whether this be not so. Now sir, I call for the authority under which this Legislature will undertake to inflict punishment—even the slightest—on the citizens of this Commonwealth for an offence unknown to our laws, and in the absolute destitution of all-proof, but mere vague rumor.

[Mr. Lunt here said, do you undertake, Mr. L., to call these resolutions from the south, mere vague rumor?]

Yes, sir, continued Mr. Loring, the southern resolutions deserve no better designation. They are certainly not evidence, and they lack every requisite of a distinct and intelligible charge. No man can plead here, or would be bound in a court of law, to plead to such loose and general statements of an offence, as are contained in these documents from the south. If we were indicted for the pettiest offence, it would be necessary to set forth our crime with great particularity of time, and place, and circumstance. What are the

circumstances of our offence? When and where was it committed? Wherein does it consist? Where is the allegation, that it is 'against the form of the statute in such case made and provided?' I call for the chapter and section of that same statute.

[One of the Committee remarked that an indictment sometime concludes '*contra pacem*.']

True, the indictment may run 'against the peace &c., but remember, it must be 'against the peace of this Commonwealth.' Such is not the charge against us. We have not broken the peace of this Commonwealth. If we have, the Courts of law are open. We have only broken the peace of the enslaver of his brethren. As well might we be indicted in Massachusetts, for uttering our sympathies and our prayers for Poland, on the ground that it would be 'against the peace' of the Emperor Nicholas. 'There is no peace, saith my God, to the wicked.'

I protest in the name of justice and freedom against your awarding a punishment, not preceded by the forms of trial. I protest still more strongly against your interfering with the regular administration of justice in the Courts. Are the laws insufficient? make new ones. Have we offended against the existing laws? Give us then a fair chance before a jury of our country. The legal profession and the community have recently been astounded with certain novel doctrines which hold it to be an offence to express any sentiments 'having a tendency' to create 'dissatisfaction' with their condition, in the minds of men deprived of freedom; and I have even heard of its being asserted, that the proceedings of the abolitionists are 'indictable at common law.' Here then is reason to pause. If the abolitionists are to hold up their hands as culprits, before a jury of their country, for what they have heretofore done, I ask that they may do it unprejudiced by any *ex post facto* action of the Legislature. Give them, at least, a fair trial, when it comes.

There is, as I conceive, in no view, any present call for action, on the part of the Legislature. Let us alone, to fight out our good fight of faith with our lawful weapons. Leave us our right to use argument, entreaty, rebuke, remonstrance—ay, sir, and invective too, if we think it right and useful—in our warfare against slavery. We have the north to convert as well as the south. Truth speaks in many tones—silence none of them.

A great principle is involved in the decision of the Legislature. I esteem as nothing, in comparison, our feelings or wishes as individuals. Personal interests sink into insignificance, here. Sacrifice us if you will but do not wound liberty through us. Care nothing for men, but let the oppressor and his apologist, whether at the north or the south, beware of the certain defeat which attends him who is found fighting against God.

* With the exception of three colored subscribers to the Emancipator, in the city of Washington, as mentioned in Mr. May's remarks.

Mr. Goodell.—When we hear the high, despotic demands of the southern States, and find so many men of property and standing, at the north, co-operating with them to put down the discussion of a subject, which is manifestly one of fearful importance to our country; when we see publications, issued from the press in this city, by men of high respectability, in which is propounded the monstrous doctrine, that the utterance of anti-slavery sentiments and the formation of Anti-Slavery Societies, are offences punishable at common law;—and when we find the Governor of the Commonwealth himself, giving his countenance to these alarming encroachments upon the liberty of speech and of the press, we have every thing to fear. We earnestly hope the Legislature of this state will not give its sanction to the measures, which have been pursued thus far, to prevent the discussion of a subject of vital consequence, which has in fact already been let alone too long.

We would deprecate the passage of any condemnatory resolutions by the Legislature, even more than the enactment of a penal law, for in the latter case we should have some redress. We could plead the unconstitutionality of such a law; at any rate, it could not take effect until we had had a fair trial. Not so in the case of resolutions. We should have no redress for the injurious operation of such an extra-judicial sentence. Besides, we believe, it is pretty well understood, that the people are not yet prepared to receive a law, that shall operate to infringe the liberty of speech. Our opposers must operate indirectly.

Let the Legislature of Massachusetts set the example of passing a formal censure upon the abolitionists, and anti-slavery Societies, and it would be a signal for a general legislative condemnation of them, all over the land. What next? The passage of such resolutions by this and other Legislatures, would help to fix in the public mind the belief, that abolitionists are a dangerous body of men—and prepare the public to receive such a law as the slaveholding states might dictate.

We would solemnly protest against a legislative censure, because it would be a usurpation of an authority, never entrusted to the Legislature. They are not a judicial body—and have no right to pronounce the condemnation of any one.

Mr. Lunt.—You must not indulge in such remarks, Sir. We cannot sit here, and permit you to instruct us as to the duties of the Legislature.

Mr. Goodell resumed. We have three pleas to offer against the passage of any condemnatory resolutions. First—we have abundance of facts to prove that the charges alleged against us are not true. We have not done any thing contrary to the law. The Constitution of the United States secures to us the right to do all we have done or intend to do.

[We forbear to give more of Mr. Goodell's able ar-

gument, as the whole of it is embodied in a very valuable pamphlet just issued, which was written by him, entitled, '*A Full Statement of the reasons which were in part offered to the Committee of the Legislature on the 4th and 8th of March, why there should be no penal law enacted, and no censure passed by the Legislature upon Abolitionists and Anti-Slavery Societies.*' To that excellent document we refer our readers for a most lucid expose of the argument against any concurrence, on the part of our General Court, with the demands of the southern States.

Mr. Garrison next addressed the Committee in a brief, but very forcible speech. We regret that we were not able to preserve the whole of it. 'It is said, Mr. Chairman, that the Abolitionists wish to destroy the Union. It is not true. We would save the Union, if it be not too late. But to us it would seem the Union is already destroyed. We have no Union. We, sir, cannot go through these States enjoying the privileges, which the Constitution of the Union has promised to secure to all the citizens of this Republic. And why? Because, Sir, and only because, we are laboring to accomplish the very purposes, for which it is declared in the preamble to the Constitution, that the Union was formed! Because we are laboring "to establish justice, ensure domestic tranquillity and promote the general welfare!"'

Dr. Follen next addressed the Committee. He commenced with a series of remarks upon the right of man, which the people of this country profess to hold in the most sacred regard. Thence he proceeded to make some highly intelligent observations upon the spirit and purpose of our republican institutions, and to show that the liberty of speech and of the press was essential to the preservation of our government. Whatever will not bear to be examined, criticised, spoken about, written about, must be essentially bad and ought not to be perpetuated. The attempt to stifle the voice—or to muzzle the press is a sure indication of an attempt to perpetuate what ought to be abolished. Such an attempt is now under consideration. By the exercise of their natural and constitutional right to speak and print what they think of the evils and dangers of Slavery, the Abolitionists are endeavoring to effect its overthrow. This the slaveholders and their abettors are determined to prevent, not by showing them that they are mistaken, and trying to convince them that slavery is a good and not an evil; but by denying their right to express any opinion about it. They have done all in their power to excite the public odium against the abolitionists, and make it to be believed that those who denounce slavery are the enemies of this republic—of these free institutions! Southern legislatures have offered rewards for their abduction or for their assassination—and are now calling upon the northern legislatures to

abolish the abolitionists by law. We do not apprehend, gentlemen of this committee, that you will advise, or that the Legislature of this Commonwealth will enact, a law making it penal in the citizens of Massachusetts to denounce slavery. But we do apprehend that you may recommend, and that the Legislature may pass resolutions censuring the abolitionists. Now against this measure we most earnestly protest. The consequences of a legislative censure we think might be worse than of a penal law. We need only look back a few months, to see what consequences we may apprehend. The outrages committed in this city upon the liberty of speech---the mobs in Boston were doubtless countenanced and encouraged by the Faneuil Hall meeting. A large number of the citizens of Boston met there. The resolutions they passed were such as the Abolitionists themselves would readily assent to---but the preamble contained a severe censure, and this we believe was regarded by the mobocrats, (though not so intended by the meeting at Faneuil Hall) as a warrant for their outrageous proceedings. Now, gentlemen, may we not reasonably anticipate, that similar consequences would follow the expression by the legislature of a similar condemnation? Would not the mobocrats again undertake to execute the informal sentence of the General Court? Would they not let loose again their bloodhounds upon us?

Mr. Lunt. Stop Sir. You may not pursue this course of remark. It is insulting to this committee, and to the Legislature, which they represent.

Dr. Follen. I have not intimated nor do I believe, Sir, that you or the Legislature would approve an act of violence. I have only endeavored to show you, from what has been, what may be.

Mr. Lunt. The Committee consider the remarks you have made very improper, and cannot permit you to proceed.

Dr. Follen sat down---and although there was scarcely any moving about the house there was evidently a deep emotion of displeasure. It was apparent enough that few, if any present, felt the reasonableness of the Chairman's procedure. *Mr. Moseley* of Newburyport, one of the Committee, remonstrated with *Mr. Lunt*. A few minutes were occupied by the Committee in conference with each other.

Mr. May. I should be unfaithful to my own convictions of right, to my associates, and to the sacred cause of freedom, for which we have come here, if I were to depart without declaring explicitly my utter dissatisfaction with the course pursued by this Committee. We asked leave to appear at this board, and show reasons, why there should be no legislative censures passed upon abolitionists, or anti-slavery societies. Permission was granted us---and yet, now that we are here, we are not allowed to do the very thing,

for which alone we came here. I regret exceedingly that you, Mr. Chairman, thought proper to stop *Dr. Follen*. He was pointing out what we conceive to be the chief danger, that is to be immediately apprehended. And what was there in his remarks disrespectful to yourselves, or to the honorable bodies you represent? I am sure no disrespect could have been intended---and I am wholly unable to perceive what expressions used by him, should be considered by you offensive. He was endeavoring to show you why we deprecate the passage of legislative censures more even than the enactment of a penal law. And we conceive, that it was perfectly proper for him to speak plainly of what, he and we apprehend, would be the consequences. He spoke, it is true, indignant, as every man of correct principles and feelings would, of the outrages committed in this city, the last fall, upon the sacred rights of citizens; and pointed out, what he and we believe to have been, the connection between the Faneuil Hall meeting and the Mobs. And was it not fair in him to intimate that, if the censure, passed upon Abolitionists by that large and respectable body of our fellow citizens, encouraged (if it did not cause the mobs,) that the passage of condemnatory resolutions, by the legislative bodies of this State, would give even more encouragement to similar acts of violence?

Mr. Lunt. Whatever you, Sir---and your associates may think of the remarks of *Dr. Follen*, it is for the committee to decide whether they were proper or improper. You are not to dictate to us in what manner we shall regulate the proceedings of this examination. You have no right to claim from us a hearing on this subject. It is a matter of special favor on our part, that you are admitted to this interview at all---and now you must be subject to our direction.

Mr. May. You have repeatedly, Sir, reminded us, that we were here by special favor---and not by right. I do not perfectly understand you. I know that it is very common for individuals, whose interest are to be affected by any Act pending before the Legislature, to appear before the committee of the Legislature, by whom the Act is to be prepared, and show reasons why it should be constructed in one way or another. The Senate Chamber is now occupied by several Committees, who are listening very patiently to what individuals are saying for or against Acts, about to be proposed respecting Rail Roads or Banks or some other monied institutions, and I presume the right of those individuals to be there is not questioned. We have sought an interview with you gentlemen, on a subject of infinitely greater moment than all the monied institutions in the land. The cause of freedom---the interests of humanity have brought us here. If we have not taken the right way to get here, it is because of my ignorance about these

matters. I know nothing about the etiquette of the Legislature. By order of the Managers of the Massachusetts Anti-Slavery Society, I addressed a letter to the Chairman of this Committee, requesting to have a hearing. The request was granted—and here we are, invested, I presume to believe, with the rights of your fellow citizens—and the most sacred rights of man—one of which is to be heard before we are condemned—and another, to exert ourselves that we may avert evil from ourselves or others.

Mr. Lunt. I conceive, Sir, that you are here to exculpate yourselves, if you can, from the charges alleged against you, and not to instruct us, or the Legislature what we are to do, in reference to the communications, we have received from certain other States. Now if you will confine yourselves to the explanations, you may think it necessary to make, of your anti-slavery proceedings, you may go on.

Mr. May. We are not here, Sir, as culprits. We do not feel like culprits, nor do we mean to act as such. We know that we are aiming to accomplish a great public good, and to avert great national evils. We feel that we are standing up before the world, in the defence of high moral and religious principles—principles, the continued disregard of which, must bring ruin upon our country. We have been laboring, and shall continue to labor, by all moral means—by those means the free use of which is guarantied to us in our Federal Constitution—to redeem the millions of our enslaved countrymen from their cruel bondage, and to redeem their oppressors from their awful iniquity. We believe with an eminent statesman of the South, that ‘the hour of emancipation must come,’ and that ‘if it come not by the generous energy of our own minds, it will be brought on by the awful process of St. Domingo’—servile and civil war. It is to avert that awful catastrophe, that we are laboring. We are alarmed at the magnitude the evil has already attained. We have observed with dismay the general decline of that reverence for liberty, which is the only security of our institutions. We see the tide of corruption rolling northward. And we have come here to-day, for some higher purpose than merely to defend, or explain, our proceedings. We have come in the hope that we may do something to induce the State of Massachusetts to take a stand, worthy of herself—yes—to stand up as a bulwark that shall stay, and turn back, the proud waves of oppression, that are rolling over the land.

Mr. Loring. We should like, Sir, to know what our rights, in the present instance, are? The Governor of this State has called your attention to the subject of slavery, and to the attempts we, with others, are making to abolish it. Several of the southern States have called upon you to put down the abolitionists by law—to make it a penal offence for us to meet, to speak or publish our thoughts on the subject of slavery. Now Sir, if it were an affair, in which

our pecuniary interests were involved to the amount of \$5, you would probably have issued an order of notice for us to come before you, that we might be heard for or against the Act, you were about to propose. And shall we not, Sir, be considered as having some right to appear before you in the present case, in which our liberties, perhaps our lives are concerned, and in which the dearest interests of our country are involved?

Mr. Goodell. We came here as freemen and we mean to go away as freemen. If we cannot be heard as having a *right*, and not merely as a matter of special favor—we had better send in a remonstrance to the Legislature, and then we may come before you with a better understanding of the ground on which we stand.

Mr. Lunt. You would have done well to have taken that course before.

[Here the chairman (Mr. Lunt) consulted with the rest of the Committee, and after a few minutes said, Although we are persuaded the remarks of Dr. Follen were improper—still rather than you should go away, and say you have not had a fair hearing, he may resume his course of remark.]

Dr. Follen. Before I proceed, Mr. Chairman, I must beg again to be distinctly informed what it is, I have said, that should be considered disrespectful to the committee—or otherwise indecorous. And I must also be informed whether our *right* to speak here is to be recognized by the committee, or whether we are still to be considered as being permitted to speak by *special favor*.

[The chairman declined making any satisfactory explanations—and Dr. Follen therefore declined to proceed.]

After a few moments consultation with the representatives of the Anti-Slavery Society—*Mr. May* said to the Committee, We have concluded, gentlemen, to occupy your attention no longer at this time. We shall present a remonstrance to the Legislature to-morrow morning, and hope hereafter to be permitted to meet you, with a better understanding of our rights.

Not having preserved any minutes of Mr. Garrison's remarks, we applied to him for a report of them. His answer to our request, however, did not come in time for its insertion in the proper place.

Mr. Garrison, in addressing the Committee, said:

Mr. Chairman, inasmuch as your honorable committee have said to the abolitionists, ‘Paul, thou art permitted to speak for thyself,’ I, for one, am disposed to reply with all sincerity, ‘I thank thee, king Agrippa.’ Yet I am not willing to consider it merely as a *favor*, that we are permitted to appear before you. No, sir. We think that we have a right to be heard in our defence, patiently, on every point, to the utmost extent, as freemen, and as

citizens of the Commonwealth; especially as the reputation and liberty of multitudes are involved in the present investigation. Why, sir, if but the paltry sum of five dollars were at stake, all persons interested in the decision of the case would not only have a legal right to be heard, but your committee would probably issue a summons, and urge these individuals to appear before you, to show cause why judgment should not be rendered against them. The committee on rail-roads, have been listening to statements *pro* and *con*, from numerous individuals or their counsel, for several weeks. Sir, are not our liberties as valuable or as important as a rail-road?

My colleagues, who have preceded me, have demonstrated, that, in assailing the execrable system of American slavery, we are violating neither the Moral Law nor the Constitution of the United States, but are acting in accordance with the spirit of them both. It will be needless, therefore, for me to dwell upon these points. If God requires us to open our mouths for the dumb, in the cause of all such as are appointed to destruction, we need no other apology, no higher authority, for the course we are now pursuing. But I fear that moral considerations alone will not suffice, on the present occasion. I will appeal to northern selfishness.

Mr. Chairman, there is one aspect of this great question which has not yet been presented to the committee. The liberties of the people of the free States are identified with those of the slave population. If it were not so, there would be no hope, in my breast, of the peaceful deliverance of the latter class from their bondage. Our liberties are bound together by a ligament as vital as that which unites the Siamese twins. The blow which cuts them asunder, will inevitably destroy them both. Let the freedom of speech and of the press be abridged or destroyed, and the nation itself will be in bondage; let it remain untrammelled, and southern slavery must speedily come to an end.

Sir, we loudly boast of our free country, and of the Union of these States. Yet I have no country! As a New-Englander, and as an abolitionist, I am excluded by a bloody proscription from one half of the national territory; and so is every man who is known to regard slavery with abhorrence. Where is our Union? And of what value is it to me, or to you, Mr. Chairman, or to any one, who believes that liberty is the inalienable right of every man, independent of the color of his skin, or the texture of his hair? We cannot enjoy the privileges of the Union. The right of free and safe locomotion from one part of the land to the other is denied to us, except on peril of our lives! They who preach that slaveholding is sin, and that immediate emancipation is the duty of every master, might as safely leap into a den of lions, or into a fiery furnace, as to go into the southern States! Therefore it is, I assert, that the Union is now *virtually* dissolved. The banner of its protection is now struck down to the earth, and trampled in the mire of despotism. And what is our crime? Simply this: We believe that to make merchandize of one-sixth portion of our countrymen is a cruel, anti-republican, and anti-christian practice. Let it not be forgotten, Mr. Chairman, that the south has declared, that she makes no distinction between

immediate and ultimate emancipationists—she regards them all as being worthy of death, ‘without benefit of clergy.’ Look at McDuffie’s sanguinary message! Read Calhoun’s Report to the U. S. Senate, authorising every postmaster in the south to plunder the mail of such northern letters or newspapers, as he may choose to think incendiary! Sir, the alternative presented to the people of New-England is this—they must either submit to be gagged and fettered by southern taskmasters, or labor unceasingly for the removal of slavery from our country. Whatever may be their views of the duty or expediency of immediate emancipation, I am sure that they will never consent to be enslaved themselves, nor to be made instruments in perpetuating the enslavement of others.

Again. To say nothing of our right to call for the abolition of slavery in the District of Columbia, and in the Territories—we are bound to demand the extinction of the slave system at the south, because, by its continuance, the liberties of our free colored population are constantly in jeopardy, some of their number every year being kidnapped and sold into bondage. Several colored citizens have been stolen from this Commonwealth. By the U. S. Constitution, it is declared, that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. In Massachusetts, a colored citizen stands on the same equality with the Governor of the State. He is entitled to vote, and may be elected to fill any office in the gift of the people. No slaveholding State, therefore, can legislate against his rights, any more than against the rights of Mr. Webster or Mr. Everett, without violating the American Constitution. But what is the fact? Why, sir, the south does with our colored citizens just as she pleases, in the haughtiness of her heart, and the omnipotence of her oppression. They cannot tread upon her soil, without being seized and thrust into a loathsome prison, and amerced with a heavy fine, which, if they cannot pay, often causes them to be sold into perpetual bondage to the highest bidder! If any of them go to certain southern ports as cooks or stewards in our vessels, they are immediately taken and cast into prison, until the vessel is ready to sail! It is thus that the south adheres to our boasted Constitution. Where, then, are the rights of the citizens of this Commonwealth? Ay, sir, where are our STATE RIGHTS?

I will allude to only one more feature of southern legislation, which alone should kindle a flame of indignation in every breast. In certain of the southern States, if a runaway slave should knowingly be received on board of a northern vessel, for the purpose of carrying him out of bondage, according to the dictates of humanity, the vessel is liable to be confiscated, and the captain and crew to be imprisoned or put to death! Nay, should a slave secrete himself on board *without their knowledge*, they would be thrust into prison, and subjected to a heavy fine! No longer ago than last year, a case of this kind occurred in North Carolina. A young slave secreted himself on board the schr. Butler, Capt. Carter, of Fall River, Mass. lying at Wilmington, N. C. and just ready for sea. Before the vessel left, the slave was discovered. After an examination before the magistrates, Capt. C. was admitted to bail, (\$1400,) and the mate and two seamen were

committed to prison, until the *Fall Term of the Superior Court*, for want of security. Subsequently, money was raised in this State to bail the other individuals, after they had remained many weeks in a life-killing prison. Although these individuals were innocent of the *crime* alleged against them—i. e. of succoring a poor, trembling, guiltless captive—yet they chose rather to forfeit their bail, and to leave the south without delay, than to risk a trial in a court of men-stealers.

Mr. Chairman, the property of northern merchants, and the liberty and even lives of northern seamen, are constantly jeopardized at the south. They are completely in the power of base and vindictive southrons, who may happen to cherish a special grudge against particular individuals. As one half of the fine, that is sure to be recovered, is given to the informant, it is only necessary for

some mercenary creature to entice a slave to hide himself on board one of our northern vessels, (telling him that he can thus gain his liberty,) and then go and make a complaint against the captain and crew for harboring a runaway slave, and his villany prospers accordingly!

Sir, how long are these grievances to be borne, and these snares to be spread for the feet of our northern citizens? And has it come to this, that we must apologize for seeking the abolition of slavery by moral means? nay, that we must be censured, or gagged, for resisting that which is trampling our dearest rights into the dust? It is time that the insolent demands of the south should be met in a spirit becoming freemen. The Legislature of this State ought to speak out in tones of thunder against a system, which is thus putting in extreme peril the property, safety, and lives of the citizens of this Commonwealth.

SECOND INTERVIEW.

TUESDAY, MARCH 8.

On the morning of the 5th of March a remonstrance was presented, by the Massachusetts Anti-Slavery Society, to the Senate and House of Representatives, against the demands of the south, and against any action of the Legislature in accordance with those demands—concluding with the request, that the *right* of the petitioners to be heard before the Committee might be recognized, and they be permitted to appear and show reasons, why there should be no penal law enacted, and no resolutions passed, censuring the Abolitionists and Anti-Slavery Societies. The remonstrance was read in both branches of the Legislature and referred to the same Committee. On the 7th, the chairman of the Committee informed the Corresponding Secretary of the Anti-Slavery Society, that the Committee would meet the Abolitionists again on the afternoon of the 8th. Accordingly, at the time appointed, the Committee sat in the Hall of the Representatives, and a numerous audience, partly composed of ladies, attended the proceedings.

Mr. May commenced by saying he expected another gentleman, Dr. Follen, would have been there to address the Committee first; but as that gentleman had not yet arrived, he would occupy their attention a few minutes. Whether right or wrong in our opinion, said he, we abolitionists do regard the enslavement of millions in our country as a most awful sin, and a most alarming evil. It seems to us that slavery is not only doing the greatest injuries to those who suffer, and to those who inflict the wrong, but it is

rapidly destroying the peace and harmony of the Union, sapping the very foundations of the Republic. We have come to perceive that slavery must be abolished, or we shall be ruined. Liberty, with all the blessings of a free government, will depart from us. We have too much faith in the over-ruling providence of a righteous God—and too clear a recollection of the history of past ages, to believe that we shall long escape the destruction, which has always overtaken nations, that have persisted in the sin of oppression. It therefore appears to us, that we have a duty to perform—that we are bound to attempt, at least, to save our country from ruin. True, other men, wiser and better than ourselves, do not think and feel as we do—but we cannot regulate our conduct by other men's consciences. 'Tis true also, that the most respectable people in the community are opposed to the anti-slavery enterprise. But then we know that people of that class have never been forward in reform. The greatest reformatations, that have blessed the world, have been begun by persons of little note, perhaps poor and despised. These recollections encourage us to go on, and do all we can to deliver the oppressed from bondage, and avert the evils that impend over our guilty land. We have therefore formed societies, we have established periodicals, we have sent out agents—the design of all which is to arouse our nation to a consciousness of the abominable wickedness, which is in our midst. And now our Legislature is called on by the south, to suppress our efforts—to make our proceedings to be penal offences,

I shall confine my remarks to two points. First, I shall contend that our publications are not incendiary, nor insurrectionary. Secondly, that if they were, we have not sent them to the slaves—we have not distributed them in such a manner as to warrant the charge, that we are endeavoring to create an insurrection.

1. Our publications are not incendiary, nor insurrectionary. What is the meaning of *incendiary*? If I know, it means, tending to excite to evil, to sedition. Insurrectionary means, tending to excite to violent and murderous attempts to throw off the yoke of oppression, or the authority of government. Now, sir, I insist that neither of these epithets can, with any propriety, be applied to the publications of the abolitionists. I appeal to them all. I do not deny that many are intended to be, and are exciting. But I deny that any of them are intended, nor do I think they are adapted, to excite the people to do evil, to commit violence, unless it be in opposition to ourselves. Those who are doing the deeds of darkness hate the light, and hate those who expose them to it. Nevertheless their deeds should be reproved. We are aiming in the first place to expose the wickedness of our country, to bring it to the light, that it may be seen and abhorred. We have endeavored—we shall endeavor still more, to arouse the people to this crying iniquity—to excite their feelings of commiseration for the enslaved; but we never have intended to excite any evil feelings, unless it be an evil feeling to abhor injustice, oppression, cruelty. We have endeavored to excite this feeling. We would, if we could, fill every bosom in the land with the utmost abhorrence of slaveholding—making property of men—reducing rational and moral beings to the condition of mere brutes. But we would not excite the slaves, or their friends, to do any injury to the masters. Gentlemen, I confidently appeal to all the anti-slavery publications I am acquainted with. You will find in them uniformly an explicit and earnest disclaimer of all intention or right to resort to physical violence.

[Mr. M. here presented copies of a large number of publications, commenting upon them, and reading extracts from them, in confirmation of what he had said of their pacific spirit—particularly copies of the papers which were burnt with so much fury at Charleston, S. C.]

But the pictures, Mr. Chairman, the pictures we have published, have given the greatest offence, and have been pronounced most incendiary. I have brought copies of them, that the Committee may see and judge for themselves whether they deserve that title. Here, for instance, is the picture of a kneeling slave. It is very coarsely executed—so much so as to be almost a caricature. But what, sir, is the sentiment of the picture? Does it look like violence or insurrection? Is the kneeling posture, the attitude of one about to as-

sault his enemy? And these chained arms, do they look like fighting? And these well-known, touching lines of Cowper—'the Negro's Complaint'—or the equally beautiful verses of our beloved Whittier—do these contain any counsel to violence? Read them, Mr. Chairman—read them, gentlemen. They are very exciting, but they are by no means insurrectionary.

[Mr. May went on to exhibit several other pictures—the Tree of Liberty—in which is exhibited on the one side the effects of free, and on the other the effects of slave labor. Illustrations of the speeches made in Faneuil Hall—a sheet on which are six pictures, representing horrible scenes of daily occurrence in this land of liberty. Also a large sheet containing sketches of several of the slaveholding establishments in the District of Columbia. And lastly, a picture copied by an American artist from one executed in England, illustrative of the emancipation of the slaves in the British West Indies on the 1st of August, 1834.]

Now, gentlemen, we wish you to look at these pictures, and those in the small pamphlets I laid before you, and decide for yourselves which of them is incendiary or insurrectionary. They are very exciting, I know—it is for this reason we make use of them. Many minds and hearts are more immediately and deeply affected by a pictorial representation, than by a verbal description. These pictures are intended for the north rather than the south, where the shocking originals of these pictures are to be found. But some of them have been sent to the south, that our brethren there may know what we are doing here, to expose the American system of slavery, and to excite a general abhorrence of it. We have no wish to conceal from them any thing we are doing, or intend to do.

2. If it could be shown that our publications and prints are, in any sense of the words, insurrectionary—still I insist that we have not distributed them in such a manner as to warrant the charge, that we are endeavoring to create an insurrection. We have not sent them to the slaves, nor to the free people of color at the south, for the reasons which I stated last week. We have sent them, as I stated at our former interview—we have sent them to men of standing and influence, in the communities where they reside—to ministers of all denominations, to members of the state and national legislatures, to judges and justices, and to men whose names we have obtained from the Registers. If some slaves have seen the pictures, or have read the publications we have sent to their masters, this has been incidental, and not a part of our plan. Our object and endeavor are to exhibit to the slaveholders, and those who are co-operating with them to perpetuate the despotism of our republic, the awful consequences of slavery, and the certain destruction which will overwhelm this nation, if we do not speedily depart from this iniquity. Light and liberty are but very partially diffused over the southern states;

and efforts are now making to restrict their diffusion over the northern states. At the south, excepting on the elevated places of society, excepting the favored few, the population are walking in moral and intellectual darkness—no system of general education is established there, and the means of religious instruction are very partially provided. The mass of the people, white as well as black, are alarmingly ignorant and awfully licentious. At the north, we find that the people have already been roused by the *pro-slavery* party, to commit violence upon the most sacred rights of men and citizens—yes, to trample under foot the palladium of our liberties. It is now evident to all, that slavery must be abolished, or we shall all be slaves, or little better than slaves.

Samuel E. Sewall, Esq. asked the indulgence of the Committee while he suggested some considerations deemed important in relation to the momentous question before them. The subject committed to this Committee was founded on that part of the Governor's Message relating to the supposed opinions and acts of the Abolitionists. The Governor's Address recommended no legislative action, but simply expressed opinions. So far, therefore, as the Governor's Address was concerned, nothing seemed required of the Committee. But the Resolves of Southern States had been also referred to the Committee, which demanded legislative action. The acts of the Abolitionists, and the existence of Anti-Slavery Societies among us, were represented as being in direct violation of the compact of Union between the States, and as incendiary and insurrectionary, in the highest degree. Those Resolutions from five Southern States, particularly from South Carolina, call upon this State to suppress all Anti-Slavery Societies, and to make it highly penal, by law, to print and publish newspapers, tracts, or pictures, having any reference to the subject of Slavery. To show that this demand was made directly upon the Legislature of this Commonwealth, he would read a few of the Resolutions sent here from South Carolina. [Mr. Sewall then began to read the Resolves, declaring that the abolition of slavery in the District of Columbia by Congress, would be a violation of the Constitution, and requesting the Legislatures of other States to pass laws for suppressing Abolition Societies, &c.]

Mr. Lunt, the Chairman, objected to the reading. The Committee, he said, understood the resolves, and had read them all.

Mr. S. said he had read enough to show the nature of the demand made upon this Legislature, though he should have wished to read all relating to that subject. Never, before this, in the history of the Republic, had one state undertaken to dictate the course of legislation to be pursued by another state. These resolves could be received in no other light than as a dictation—a direct interference with our domestic legislation. The language was arrogant and insolent. It demands of us to punish our own free citizens for doing what it is perfectly legal and constitutional for them to do. Such a proceeding was without parallel in the history of the government. The demand

of the South on the Legislatures of the North, was not to punish acts, but to punish opinions. No evidence was produced, and none could be produced, that the abolitionists had done or were doing a single act to excite the slaves to insurrection. The public documents of the Anti-Slavery Societies, and all they had written and published, were addressed not to the slave, but to the master. No attempts had been made to excite the passions of the slave, but to rouse the feelings of the master to the sense of his duty to the slave and to himself. All this has been fully demonstrated by the gentlemen who have already spoken, I shall therefore consider it as proved. Our only fault is, said Mr. S., that we have exhibited more sympathy for the slaves of the South, than the slaveholders have. We have exercised more freedom of speech than is pleasant to the tyrants of the South, who demand of you, to punish us for using what the Constitution guarantees to all, freedom of speech and of the press. I take the position then, that our only fault in the eyes of the south, is speaking and writing what the south do not like. We have been guilty of no offence against the Constitution, no offence against any statute of the Commonwealth, no offence known to the common law of the land. The only pretence for any allegation against us, in this novel species of indictment by which we are arraigned here, is that we are guilty of an offence under the Common Law. It has been contended by some, that we of the North have not a right to speak or write any thing which those of the South do not like, and attempts have been made to cite precedents founded on international law, to support this doctrine touching the relations between the States of this Union. But few precedents of this kind have been found. One was the case of a Frenchman, under a foreign government, who was prosecuted for an attack on the character of Napoleon, when first Consul. Another case was that of a person indicted in England for a libel on the Emperor Paul of Russia. These cases had been relied on to show that it was illegal for the subjects of one nation, to speak or write against another nation. Now it was a sufficient answer to all this, to say that these precedents have never been practiced on in this country as a part of our Common Law, and never can be, without the violation of a paramount law, the Constitution. I do not believe that the doctrine ever will be admitted in a free state, that it is unlawful to speak against tyranny in any part of the world. I do not believe that we shall ever hold, as a part of our Common Law, that it is a libel for an American citizen to speak what he pleases of the King of Great Britain, or any other foreign prince, or of the institutions of other countries. If then we do not admit, that there can be such an offence under our laws, as a libel on the rulers or the institutions of another country, how can we admit that there can be such an offence as a libel on the institutions of other States in the Union?

We are charged with violating the spirit of the Constitution by attacking slavery. It is asserted that we have interfered with the domestic concerns of the Southern States. How? If Massachusetts should pass a law to liberate the slaves, or should raise an army and send it to South Carolina for that purpose, that would be an interference. The only interference of which it is pretended

we have been guilty, is a moral interference, and this we have a perfect right to exercise—to write and speak on any subject we please, being held amenable only to the laws of the Commonwealth. The Bill of Rights declares that the liberty of the press is essential to the security of freedom in a state, and it ought not, therefore, to be restrained in this Commonwealth. If, then, clearly under this provision, we may freely discuss the institutions of our own State, may we not, in our own State, discuss the institutions of any other State?

But, in point of fact, the Constitution does not guarantee Slavery, much less does it, in letter or spirit, prohibit the discussion of it. The word slavery or slave is nowhere to be found in the Constitution. Now if it were the intention of the framers of the Constitution to have guaranteed the preservation of slavery in the States, as it does the preservation of a Republican form of government to each State, would it not have plainly said so? Is it not extraordinary that we should be told, that by adopting the Constitution, we guaranteed an institution which is not named in any instance in that instrument? And this forced construction of the Constitution, that it guarantees slavery, though it is not named, is urged by those who in other respects, are always complaining of the latitude given to the construction of the Constitution. So far from slavery being guaranteed by the Constitution, any body, not familiar with our country and its institutions, would never infer from reading the Constitution, that there was such a thing as slavery in the United States. On the contrary, he would suppose it impossible for slavery to exist in a country whose Constitution was founded on the declaration that all men are born free and equal. There are but three allusions to slavery in the Constitution, and these constitute no guarantee whatever.

The first allusion to the existence of such persons as slaves, is to be inferred from the language of the 3d section of the 1st Article, apportioning representation, 'including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.' We who know the fact that there are slaves, presume that they were those other persons meant by the Constitution.

The second allusion to slavery, is in the 9th section of the 1st Article—the migration or importation of *such persons* as any of the States now existing, shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.' This is not a guarantee of slavery, but is a mere restraining of the acknowledged power of Congress to put an end to the foreign slave-trade, until 1808. So far as it applies to all to the argument, it is in favor of abolition and against slavery. Some contend that by this provision, the Constitution did sanction the slave-trade until 1808. But this is a forced construction, though if true, it does not reach our argument. The slave trade, it should be remembered, was never carried on by the authority of General Government, but under that of the States. The States had the power of carrying on the slave-trade, previously to the adoption of the Constitution. They did not derive any power to do it from the Constitution. But the General Government gained by

the Constitution, the power of abolishing it in 1808. No guarantee, therefore, for slavery after 1808, can be found in this provision.

The third allusion to slavery, and the one most relied on, is in the 3d section of the 4th Article—'No person held to service or labor in one state under the laws thereof, escaping into another, shall not, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.' This is a provision requiring one State to deliver up fugitives from another State, who are held to service or labor by the laws of that State. But it is no more a guarantee of slavery, than it is of apprenticeship; and the argument from it would be just as strong against speaking and writing against apprenticeship, as against slavery. Under this clause, a Court of South Carolina is as much bound to deliver to a citizen of Massachusetts a fugitive apprentice, as we are bound to deliver to a citizen of South Carolina a fugitive slave.

These are all the provisions in the Constitution, which can be regarded as having any reference to the existence of slavery. Where is there in them any guarantee of that institution? Especially where is there any guarantee that we of the North shall not speak and write against slavery?

But suppose the Constitution did guarantee slavery; still the propriety of such a provision in the Constitution would be as open to discussion as any other, and slavery itself might be as freely spoken against as any other institution in the country. The Constitution itself provides for changes to be made in it, whenever the people so decide, and thus is in effect a guarantee of the right of the people to discuss as freely as they please, every provision in the Constitution. This is the very basis of all popular rights. The Constitution is merely a form of government for the people, ordained and established by 'we the people.' Every article in the Constitution is a guarantee for the provisions contained in it, and yet all these provisions may be freely discussed. The mode of choosing Electors of President and Vice President, was guaranteed, in the same way, and yet it has been discussed and been changed, and the new provision is also discussed and recommendations of another change, been frequently made to Congress. Even a republican form of government, which is expressly *guaranteed* to every State in the Union, (the only place in the Constitution where a guaranty is named) may be discussed. If any citizen were foolish enough to contend for abolishing a republican form of government, and establishing monarchy, who denies his right to do so? What legislature would undertake to punish or censure him for it?

The abolitionists, therefore, whether right or wrong stand on the same basis with all others claiming freedom of speech. No law can reach them which would not directly violate the *guaranty* of the Constitution, that freedom of speech and the press shall not be abridged.

Many contend that if the press is free from a direct censorship, it is a free press—that the liberty of the press consists in the liberty to publish what you please, but liable to be punished for it, after it is published. In regard to the abolitionists, these advocates of the freedom of the press, carried the doctrine still further, so as to propose

direct censorship upon them, to prevent their publishing any thing unpleasant to the South. The Common Law, which in this respect is controlled by our Constitution, lays down the doctrine that the press is free to publish what it pleases, but the government will punish it if it does publish. You may have the liberty to publish first and be punished afterward! What was this, but an alter censorship of the press, equally as restrictive, and yet less favorable to the citizen than a prior censorship, which would prevent his doing, what the other mode permits him to do, in order that he may be punished!

Mr. S. contended that the freedom of the press was as much violated by any law punishing what is published as if it were a censorship of the press to prohibit publishing. What sort of liberty was it to tell a man he may publish, but if he does he shall be fined or imprisoned? In England the press was freer in practice than it would be if the known law of libels were enforced. The Common Law, (in relation to public Libels) which it is attempted to enforce here, is almost a dead letter there. Had it been enforced, a large part of the publications in England, for years past, on public measures, would have been public libels, and must have been suppressed. The Common Law has been rendered inoperative there by public opinion, and the press has discussed what it pleased. The truth is, that the principles of constitutional freedom, and of popular rights, have been more cherished in England, as they have been more understood. The Catholics and Dissenters have been freed from religious disabilities—the rights of the laboring classes have been more recognised, and the entire freedom of speech and of the press has been established in spite of the Common Law.* In this Commonwealth there is less freedom of the press than there is in England, on many subjects. We have seen here an indictment against an unfortunate man for blasphemy, under an old law. It was with great reluctance, and with several trials, that a verdict was got from a Jury, and no man who has attended to that case and its influence upon the community, will say that it has helped to advance the cause of religion. In the Southern States, freedom of the press, in regard to slavery, is not known. The proceedings of the Star Chamber and the Inquisition, were humanity itself when compared to the Statutes of some of the Southern States against discussing slavery. In one, if not more of the States the punishment of death is put upon any publication against slavery.

In considering this point, said Mr. S., I have nothing to do with *private* libels. Every individual, who may be injured in reputation has a right to a remedy, and this is all that can be required for the protection of private character against the licentiousness of the press. That consideration does not enter into the argument. I refer entirely to *public* libels, as they are called, such as those against government, religion, and morality.

Suppose Massachusetts should pass such a law as is required of her, punishing any of her citizens who

should speak or write on the subject of slavery. Would that suppress the publication of their opinions by the Abolitionists? Does any one suppose this for a moment? Who and what are the men whose mouths it is proposed to stop by violence and unconstitutional laws? Men of integrity, of piety, of zeal, of perseverance, of intelligence,—men who are conscientiously devoted to their opinions, and as ready to suffer imprisonment, fines, stripes, persecution and death for the sake of their opinions and their consciences, as ever was any persecuted sect. The persecution of Abolitionists will have the same effect that persecutions of men for conscience sake, have always had. It will unite and knit them together, it will combine with them the friends of free discussion in defence of liberty of speech—it will inspire them with new zeal and new motives to do and to suffer in a righteous cause, and it will excite for them the sympathies of all who in reality feel, though they do not act with them. Their property may be confiscated, their persons may be thrown into jail, their lives may be forfeited, but still their opinions will flourish. As fast as you take the life of one, others will come forward as ready to suffer for freedom and truth. No man who ever read history or ever studied human nature, can doubt that such would be the effect of persecuting the Abolitionists.

One of the principal arguments against us is, that we of the North are not interested in slavery, and therefore have no business to discuss it. We might as well say that the head is not interested in a wound in the arm. The whole system suffers. So does the whole system of our Union suffer from slavery. The North is united with the South, and the only thing that endangers the Union is slavery. We are interested, therefore, in prevailing on the South to abolish slavery, because we are interested in preserving the Union.

We are interested in slavery, because we support slaves by consuming the products of their labor, the sugar, rice and cotton of the South; and wherever slave labor is thus encouraged, free labor is excluded or becomes degraded. The morals of the North are affected by slavery. There is no fixed standard of morals at the South, there can be none in the midst of a degraded slave population. We are in danger of adopting the same notions of the first principles of free government and the relations of the laboring classes in society. In this we are deeply interested. Besides, the slaves consume less of our products, as well as produce less themselves than if freemen occupied their place. In Barbadoes the imports have doubled since the slaves became free. In a commercial point of view, therefore, we have, in common with the South, a strong interest in the removal of slavery.

We are interested in another point of view. The

* A recent London paper contains an elaborate argument on the question whether it is not best for England to abolish Monarchy, and have an elective Chief Magistrate. Many of the English presses freely discuss the propriety of abolishing the House of Lords. These discussions are never punished or censured.

Constitution guarantees that the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States. This is a dead letter, wherever slavery prevails. A large class of our citizens are grossly injured by the laws of the Southern States growing out of slavery. They prohibit, under severe penalties, every colored citizen of another State from entering a slave State, and thus violate the Constitution of the U. S. more directly than they charge Abolitionists with doing. Even the white citizens of free States have been put to death without law, and no legislation is demanded of the South by the North, to protect our own citizens. If we had a proper respect for the rights of our citizens, we should protest more loudly against the South for their violations of the Constitutional compact, than they do against Abolitionists for discussing slavery. A free citizen of color when found at the South, even on board one of our vessels, is seized and confined in prison, while the vessel remains in port. Free colored citizens, who have committed no offence, are taken up and if they cannot prove their freedom are sold to pay jail fees; and yet not a word is said about all this, in a Northern Legislature. We have not demanded of the South as she demands of us, to legislate. A recent case of this kind, said Mr. S., came under my own observation. A free citizen of this State, named John Tidd, sailed in a vessel to New Orleans. While there the captain thrust him into the Callaboose, and came away and left him. When his case was made known here, the Mayor of Boston, Gen. Lyman, by request, wrote a letter to the Mayor of New Orleans, stating the facts, and Tidd was released, thus proving that he was detained for no offence but his color. But for the interference here, this free citizen must have been made a slave. In another case, a slave concealed himself in a Northern vessel, sailing from one of the ports of N. Carolina. The captain knew nothing of it, but he and the crew were seized and thrown into jail, to be tried for their lives, for not knowing that the slave was concealed on board the vessel! After some time, the captain was enabled to procure bail and was released, the others were left behind in jail, to be tried for a capital offence. Yet none of these things move us, but all our indignation is poured out upon the Abolitionists! There is scarce a day passes that some citizen of the North is not injured by the unjust laws of the South, and yet we make no complaint. If we had the spirit of the South, we should loudly complain.

Again we are interested in slavery because we are compelled to deliver up the slave to his master. Now there is not a man, woman or child in New England who would not aid rather than obstruct a run away slave. Yes sir, not the most obdurate Colonizationist, would voluntarily interpose to deliver up a slave. It is the air we breath, the spirit of our institutions, the feelings we inherit from our fathers. Are we not then

interested in not being compelled by law to do violence to our feelings and our consciences in this matter?

We are also interested in slavery in the District of Columbia and the Territories. On this point I refer to the Committee to the speech of the Hon. Mr. Hoar of this State, in Congress, which settles that question as to the right and power of Congress to abolish slavery in the District and Territories. No ingenuity can evade the conclusion of that argument. Taking it then to be settled that Congress has the right to abolish slavery in the District of Columbia, I ask, have we no right to discuss it? Are we to be censured by this Legislature for urging Congress to do, what it is demonstrated Congress has a right to do?

Slave factories exist in the District of Columbia, within sight of the Capitol, in which cargoes and droves of slaves are collected to be sent off by the slave dealers. The prisons of the United States are used to confine run away slaves. Free citizens are sold under the eye of Congress to pay jail fees; and the answer to all this is, we must not be suffered to speak about slavery. The South will do as they please with our citizens who go there, and we must punish those we have at home, whose conduct is displeasing to the South!

But I place our right to plead for the slave on a higher ground—the right of a common humanity. Wherever man is suffering under ignorance and oppression he is entitled to our sympathy. If he be as far removed from us as China or Japan, it is still not only our right, but our duty to feel for him, and to aid him. And our obligation to aid him is only limited by our means of being useful.

The abolition of slavery throughout the civilized world will soon be accomplished. He must have been an idle or an indifferent spectator of what is going on around him, who does not see the approach of this consummation. England has already freed her slaves. The former Spanish colonies have accomplished much in the work of emancipation. France and even Spain are now preparing the way for abolition. America cannot long resist the moral influence of the rest of Christendom.

The history of abolition is yet to be written. It will be deeply interesting, as it will record the triumph of the higher principles of our nature, of reason, justice, and humanity over prejudice, avarice and selfishness. One page of that history will record the proceedings of the Legislature of Massachusetts on the subject before you. I trust that it will be such that our descendants may read it without shame

—
Dr. Follen, (late Professor in Harvard University) addressed the Committee. He said he had been eleven years a resident, and six years a citizen of this Republic. The principles on which the Anti-Slavery Societies were founded, were the same which brought him to this country, and without the enjoyment of

which he could not wish to remain in it. The principle of freedom, and especially the right of free discussion, were secured to the citizen in the Constitutions and laws of the country. The principle of freedom of speech was the only point really at issue before the Committee of the Legislature. It was proposed, through the medium of this Committee, to recommend to the Legislature either penal enactments, or a vote of censure against the Abolitionists, and for what? Simply for the exercise of the freedom of speech and the press, not only without any violation of law, but clearly within the law and the Constitution. In no case, said Dr. F., has it been pretended that aught but speaking and printing, has ever been attempted by abolitionists to accomplish the objects they have in view. We are to be censured, if at all, by the Legislature, not for what we have *done*, but for what we believe and say, though there is no law, and no law can be made under the Constitution, against which we have offended. We have endeavored by persuasion, by argument, by moral and religious appeals, to urge upon the Nation, and especially upon our Southern brethren, the necessity of freeing themselves from the stain of slavery, which rests upon our institutions. This is all that we have done, and what we shall continue to do. What is there so singular in this, that the Abolitionists of this country should be marked for Legislative censure? It is now admitted that the voice of the civilized world, out of this country, is with the Abolitionists.* The civilized nations of Europe, have already done or are fast doing, what must be done in this country, at some time or other. Emancipation must come. Mr. Jefferson prophesied truly when he said many years ago, that an end to slavery must come. Whether it shall come in peace, by argument and persuasion, or in blood, as it did in St. Domingo, rests upon ourselves to determine. The Abolitionists, feeling in the spirit of the prophecy of Jefferson, that emancipation must come, seek to bring it about in peace, by rousing the country to a sense of the dangers growing out of this institution, and increasing, so long as it remains among us. If we are told we must not discuss it now, we ask, when will the time come to discuss it? When will the South be better prepared than she is now, for the discussion? On this point, I will quote the language of a Southern man and a slaveholder, Mr. Summers of Virginia, who, in his speech on slavery, in the Legislature of Virginia, in 1832, said:

‘Sir,—the evils of this system cannot be enumerated. It were unnecessary to attempt it. They glare upon us at every step. When the owner looks to his wasted estate, he knows and feels them. When the statesman examines the condition of his country, and finds her moral influence gone, her physical strength diminished, her political power waning, he sees and must confess them. Will gentle-

men inform us when this subject will become *less delicate* when it will be attended with *fewer difficulties* than at present—and at what period we shall be *better enabled* to meet them? Shall we be more adequate to the end proposed, after the resources of the State have been yet longer paralyzed by the withering, desolating influence of our present system? Sir, every year’s delay but augments the difficulties of this great business, and weakens our ability to compass it. Like silly children, we endeavor to postpone the work, which we know must be performed.’

These are the doctrines of the abolitionists. I might quote from the speeches of several other gentlemen of the Virginia Legislature, all holding the same doctrine, our doctrine, for which we are to be censured, perhaps punished by the Legislature of Massachusetts. And what more have we done than the members of the Virginia Legislature have themselves done? one of the States, which now requires you to pass laws to punish us for doing what they have done themselves, only we have not stated the case so strongly as was done by the members of the Legislature of Virginia, in 1832.

I would not justify all the language used by abolitionists in their speeches and writings. Whenever they have been wrong, as I thought, I have censured them, I censure them now. But it would be impossible to belong to any party or body of men, if the whole were to be made responsible for every extravagant expression that might be uttered by an individual. Must every man refuse to act any more on a principle, because some one who professes the same is extravagant or intemperate in language? And especially, will the Legislature attempt to punish or censure freedom of speech, because some may use it improperly? We must, in all such cases, take the broad ground of right; freedom of speech and freedom of opinion, a right secured to us by the Constitution of the United States; and secured to us by the constitution of human nature. It is the only condition of improvement, the only safeguard of liberty. It is a right which cannot be taken from one class of citizens, without reaching all.

On this point alone, freedom of speech under the Constitution, are we assailed. You cannot censure freedom of speech in abolitionists, without preparing the way to censure it in any other class of citizens, who may for the moment be obnoxious to the majority. The question, therefore, is not whether you will put down the abolitionists, but it is whether the Legislature of Massachusetts will suppress freedom of speech forever? We say to you, save yourselves, as well as us from consequences which we must all bear alike, if on this point, we give up the freedom of discussion. We apprehend also, and not without reason, personal consequences to ourselves, should any vote of censure be passed by the Legislature. Although I feel that many of my friends have been deeply injured by the unjust excitement which has been got up against them, founded on misrepresentation, yet I can look at it with the eye of a friend of the people. Even the mobs which have done so much discredit to the country in the estimation of the civilized world, I am glad to be able to believe, have acted on a delusion which had for its object, though mistaken, to preserve the Union. They believed we wanted to infringe the compact of the Constitution, by violent means,

* See Mr. Preston’s late speech in Congress.

and destroy the Union. This was their error from the misrepresentations, made so often, of the designs and acts of the abolitionists. As a friend of liberty, I am glad to be able to look on the popular excitement, from which my friends have suffered, in this light, but where Judge Lynch has presided, I must say, as I said the other day——

Mr. Lunt—(Chairman of the Committee.)—I call you to order, sir. This is not respectful to the Committee.

[The call to order excited universal surprise, as from the peculiarly mild and gentlemanly address of Professor Follen, those who had been listening to him, could not comprehend the point of order. No one seemed more unaffectedly surprised than the Professor himself.—Reporter.]

Dr. Follen.—I am not conscious of having said anything disrespectful to the Committee. I beg to be informed in what I am out of order.

Mr. Lunt.—It is not respectful to the Committee to allude to what you were called to order for, the other day.

Dr. Follen.—I thought the other day I had been called to order for taking for granted that the Legislature would pass penal enactments, or a vote of censure, against the abolitionists. I do not understand why I am stopped now.

Mr. Lunt.—Your allusion to mobs, for which you were called to order at the last session, is not proper.

Dr. Follen.—Am I then to understand, that speaking disrespectfully of mobs is disrespectful to this Committee?

Mr. Lunt.—Your allusion is not proper, and cannot be permitted.

Dr. Follen. Only allow me to have a distinct understanding of the objection. I have spoken, and was about to speak of the mobs where Lynch law has been practised. Is there anything disrespectful in that to the Committee, or to the Legislature?

Mr. Lunt.—I consider the allusion to mobs, in the manner I understand it to be made, implying that the action of the Legislature may sanction mobs, is improper, and cannot be permitted while I occupy this chair.

Mr. Mosely of Newburyport, (one of the Committee,) said he dissented wholly from the chair. He saw nothing in the allusion to mobs, disrespectful to the Committee or to the Legislature, and be considered that Dr. Follen was entirely in order.

Dr. Follen.—If I have not the freedom of speech to speak of the evil consequences which we, as abolitionists, apprehend may follow a legislative censure, which may be used by interested and reckless men, as a sanction of mobs to assail us, then I have nothing more to say. If this is not allowed—if we cannot point out the direct or indirect tendency of legislative action, by a vote of censure, or otherwise, to incite mobs against us, then I have nothing more to say.

Mr. Lunt said, he would clear his skirts of this matter before the Legislature, and would take the opinion of the Committee, whether an allusion to mobs should be permitted.

Mr. Mosely (being asked his opinion) said he understood Dr. Follen to be explaining a point, deemed by his friends, as presenting a strong argument against any action of the

Legislature. Here were communications from legislatures of several States, complaining of the conduct of a portion of our fellow-citizens, demanding legislative action, and requiring of us to pass penal laws against them. I understand that Dr. Follen and the other gentlemen desire to address the Committee, supposing they are the persons thus accused in the communications from southern legislatures. Now they wish to show that there has been misrepresentation of their acts and objects; that this misrepresentation has led to acts of personal violence against them, and that they apprehend, in case the Legislature should adopt resolves censuring them, that mobs would thereby be excited against them for unjust causes. This is one view they take of the consequences, which our acts may produce. Now if it can be shown that such may be the result of any act on the part of the Legislature, it appears to me to be directly relevant, and a matter of serious personal consequence to them. I am therefore willing to hear all they have to say. I do not say that I shall agree with their views, or act in conformity to their wishes, but I am ready to hear them through. I did not understand Dr. Follen to be out of order when he was stopped.

Mr. Lunt.—The allusion was not only improper in itself, but was such as no man, in a Court of Law, would be permitted to make.

Mr. Lucas and *Mr. Corbett*, two of the Committee, appeared silently to assent to the views of the Chairman, *Mr. Lunt*, who then said—I am happy to find that I am sustained by a majority of the Committee. It was decided that Dr. F. was out of order, and must not allude to mobs.

Rev. Mr. May here rose and called the attention of the Chairman to the Memorial, under which they now appeared before the Committee. The former interview they had with the Committee, was granted by the Chairman on application to him, but as it appeared to be regarded by the Chairman, as a matter of mere grace, and not of right, they had addressed a memorial to the Legislature, to be heard as a matter of right. The memorial was granted by being referred to this Committee; and it was the obvious intent of the Legislature, that the memorialists should be heard. He would read the memorial, which he did.—[The memorial concluded with a request to be permitted to show to the Committee why there should be no penal law enacted, and no condemnatory resolutions passed by the Legislature against the memorialists.] We have this permission, which we are now using, said Mr. May, and we can go no farther in this interview, unless Dr. Follen is permitted to proceed and show the effects likely to follow legislative action against us, as a reason why there should be no such action. Dr. Follen is speaking to that point which we deem most important. If he is not permitted to use that as an argument, and others after him, our farther interview will be of no use.

Mr. Lunt (the chairman) was understood to say—that the remonstrance being referred to the Committee, did not at all restrict the Committee as to the manner, in which the memorialists should be heard.

[This position of the chairman excited the more surprise, because he certainly gave the representatives of the

Anti-Slavery Society, at the former interview, to understand that if they would come before the Committee, with a right to be heard on the point in question, it must be in pursuance of a remonstrance to the Legislature, and the action of that body on such a remonstrance. It was because they thus understood him, that the abolitionists took the course which he indicated to them, and yet he saw fit to arrest them precisely at the same point, where he did on the former occasion.]

Mr. May—I presume we should not have been permitted by the Legislature to come here, on our request to be allowed to show cause why there should be no legislative action against us, unless it was intended we should have the liberty to do so. If such was not the intention, I am sorry they permitted us to come at all. It is the whole object for which we came here.

Mr. Lunt, after some consultation with the rest of the Committee, intimated that Dr. Follen might proceed.

Dr. Follen resumed—I understand that I am now allowed freely to speak of the injurious consequences, which we, as abolitionists, fear will be the result of any Legislative action against us. If this is not acceded to, then in the opinion of my friends, we have not the right of a full hearing, such as is granted in every Court of Law, and by every Legislature in the Union, before proceeding to pass any act that may injuriously affect a class of citizens, or the rights of individuals. If I am mistaken in this view of the subject, I wish to be stopped in the beginning, as I have no inclination to do any thing, which is contrary to the decision of the Committee.

Mr. Lunt—You can state what you apprehend, from any action of the Legislature.

Dr. Follen—I apprehend, then, from a vote of censure by the Legislature upon the sentiments and measures of the Abolitionists, the same consequences that have followed the expression of opinions condemning the abolitionists in another place. I allude to the meeting in Faneuil Hall, which was followed by a mob. That meeting had passed resolutions of censure, which had excited misapprehension of the real motives and designs of Abolitionists, and endangered their lives. I complained at that time, of the injustice done us, by representing us as designing to destroy the Union. To every one of the Resolutions adopted in that Hall, we can subscribe, but the preamble to the Resolutions, of which we complain, spoke of the Abolitionists as holding opinions entirely opposite to those we maintain. We were held up to the public odium as disunionists.—What was the consequence? Persons thinking themselves justified and supported by many of the most respectable and influential men in the country, undertook to carry into effect the opinions expressed at the meeting in Faneuil Hall, by a mob. Individuals, peaceably and lawfully assembled, were assailed with violence, and put in peril of their lives. The rights of property were disregarded.—The sign of the Anti-Slavery Society was torn down and destroyed, and the spectacle was exhibited in the most enlightened and orderly city in the Union, of a mob, in the glare of day, leading an innocent man through the streets of Boston, with a halter about him. Yet not a single magistrate or court of Justice have taken cognizance of

those acts of violence. I believe that those engaged in that outrage, are heartily sorry for the mob, and I wish to bury it in oblivion. I take no pleasure in alluding to it, and have only done so, as showing the consequences likely to follow measures, which may now be intended against the Abolitionists. Our view is, simply, that if a vote of censure should pass the Legislature, it might be followed by a repetition of the same outrages.

Might not the charge of exciting disunion, which we affirm is unjustly made against us, with more justice, be made against our assailants? The paper in this city, in which the mob was called to march under the banner of Judge Lynch, formerly defended Nullification, the fruit of which is disunion. There has been no call to legislate against that, and no censure is proposed.

We do not say that the Legislature will sanction mobs, or that they mean to incite them against us, but that we apprehend that mobs may follow any act of censure on their part, as they followed the votes of censure in the Faneuil Hall meeting. It is for the wisdom of the Legislature to determine whether the Abolitionists alone, are to be endangered by mobs. A mob excited against Abolitionists now, may excite another mob, far more dangerous to others than that would be to us. It is impossible to prescribe limits to lawless acts of popular violence. If I were a man of property, I should fear nothing so much as a mob. The laws especially protect property and favor men of property, and it is only by maintaining the laws against violence in any form, that the rights of property can be secured in any community. A mob got up against Abolitionists, may stir up a mob against property. We would not rely on mobs. We should condemn them as much, if against our opponents, as against ourselves. We would let those rely on mobs, who cannot carry their measures by argument and law. We rely on the Legislature of Massachusetts to protect us, in common with all the citizens of the Commonwealth, while in the peaceable and lawful exercise of our right of freedom of speech.—Why then should we be censured for doing what the Legislature cannot declare to be an offence against law?—There is nothing in the Constitution, which confers the power on the Legislature to pass censure upon citizens in the exercise of a legal right. It would combine judicial with legislative powers, which the Constitution expressly forbids. It would condemn citizens without being tried for any offence, and place them before the public, as if they were outlaws, not entitled to protection in their persons or property. I speak now of the consequences that are likely to follow a vote of censure by the Legislature. This is the only light in which I view the acts of popular violence that have taken place, and in which I wish to allude to them. I do it with pain and regret, but from necessity. Our aim is not to reproach any one, and we only seek, in using this argument, to impress upon the Legislature what we regard as a highly important reason, why they should not adopt a measure, the tendency of which is so obviously to incite to acts of violence against us.—Our wish therefore is, and we respectfully request the Legislature, that no action may be had on the subject, since the existing laws are sufficient to meet every emergency.

Mr. William Goodell next addressed the Committee. He said that the dangers to the Abolitionists, which must follow a vote of censure from the Legislature, were not merely apprehended as dangers to them personally, but as a violation of the fundamental principles of right. If personal danger to them were all, they would not have said one word. They would have suffered in silence as they had done, and were prepared to do again. But there were other interests involved in this discussion, of far higher importance than the interests of any particular class of men, or any number of individuals. He might press upon the Committee, all the personal interests and all the private injuries of himself and friends, which were at issue in this matter, but he passed that by. He might urge upon the consciences of men, the moral and religious obligation, paramount to all others, to break the yoke of the oppressor and let the oppressed go free, but he passed that by. He might speak of two millions and a half of our countrymen, whose rights as men and human beings are involved in this question, but he passed that by. He asked no indulgence, no exclusive privilege for any class, but he relied on the rights of the whole people. The abolitionists asked nothing as such. They neither complained, or desired protection, as abolitionists, but as men and citizens, claiming for themselves only a participation in the equal rights of all. He relied on this common principle, well assured that no legislative action, such as the South demands against abolitionists, can be had, without endangering the rights of all, violating the first principles of the Constitution, and subverting free government. To censure or condemn the freedom of speech in any form, by a legislative act, would be an assumption of judicial power by a Legislature, where no judicial power is given.

For what are abolitionists arraigned as criminals, with no law, against which it can be pretended they have offended? For nothing else but exercising and defending the inalienable rights of the people. What have we said that is not said in your Declaration of Independence, and why are we condemned for carrying into practice, what others have been immortalized as patriots for writing and adopting? We must be censured for saying that slavery ought to be abolished. Be consistent then, and censure the father of this country. I turn to the portrait of Washington, as it looks upon us in this Hall, and I remember that he said he earnestly desired to see the time when slavery should be abolished; and for saying this, and urging it upon our countrymen, the mandate has come from the South to stop our mouths, and has called us here, to answer as for a crime. Are the Legislature prepared to pass a vote of censure on the sentiments and language of Washington?

The penman of the Declaration of Independence,

approved and maintained the same doctrines, for which we are to be censured. Censured, for what? It is not the Abolitionists you will censure, but you will censure the first principles of freedom. Hear what Jefferson says, and then say if you will censure him, for we say nothing more.

‘And can the liberties of the nation be thought secure, when we have refused the only firm basis, a conviction in the minds of the people that these liberties are the gift of God? That they are not to be violated but with his wrath? Indeed, I tremble for my country, when I recollect that God is just; that his justice cannot sleep forever; that, considering numbers, nature and natural means only, a revolution in the wheel of fortune, an exchange of situation is among possible events; that it may become probable by a supernatural interference. The Almighty has no attribute which can take side with us in such a contest.’—*Jefferson's Notes on Virginia, published 1782.*

In a letter dated Monticello, 1814, Mr. Jefferson writes thus in his old age:

‘Dear Sir—Your favor of July 31, was duly received, and read with pleasure. The sentiments breathed through the whole, do honor both to the head and heart of the writer. Mine on the subject of the slavery of the negroes have long since been in the possession of the public; and time has only served to give them stronger root. Yet the hour of emancipation is advancing in the march of time. It will come; and whether brought on by the generous energy of our own minds, or by the bloody process of St. Domingo, excited and conducted by the power of our present enemy, [it will be recollected that we were then engaged in war,] if once stationed permanently within our country, and offering an asylum and alms to the oppressed, is a leaf of our history not yet turned over.

‘I am sensible of the partialities with which you have looked towards me, as the person who should undertake this salutary but arduous work. But this, my dear sir, is like bidding old Priam buckle on the armor of Hector, ‘*trementibus ævo humeri et inutile ferrum cingi.*’ No, I have overuled the generation with which mutual labors begat mutual confidence and influence. This enterprise is for the young; for those who can follow it up, and bear it through to its consummation. It shall have my prayers, and these are the only weapons of an old man.’

Will you censure John Jay, (the Chief Justice of the United States) who sent forth the abolition essays of Hopkins of Rhode Island, and Edwards of Connecticut, and signed a Constitution of an Abolition Society, by which these and other illustrious men united in a league to put down slavery throughout the world?

Will you censure William Pinckney, a citizen of a slaveholding state, who, in the Legislature of Maryland uttered stronger language of condemnation against slavery, than ever issued from an anti-slavery press.

[The following passages are from the speech alluded to by Mr. G.]

“Founded in a disgraceful traffic, to which the parent country lent her fostering aid, from motives of interest, but which even she would have disdained to encourage, had England been the destined mart of such inhuman merchandize, its continuance is as shameful as its origin.

‘But wherefore should we confine the edge of censure to our ancestors, or those from whom they purchased? Are not we EQUALLY guilty? They strewed around the seeds of slavery; we cherish and sustain the growth. They introduced the system; we enlarge, invigorate, and confirm it.

'Sir, it is really matter of astonishment to me, that the people of Maryland do not blush at the very name of freedom. I wonder that modesty does not keep them silent in her cause. That they who have, by the deliberate acts of their Legislature, treated her most obvious dictates with contempt; who have exhibited for a long series of years, a spectacle of slavery which they still are solicitous to perpetuate; who, not content with exposing to the world, for near a century, a speaking picture of abominable oppression, are still ingenious to prevent the hand of generosity from robbing it of half its horrors; that they should step forward as the zealous partizans of freedom, cannot but astonish a person who is not casuist enough to reconcile antipathies.

'For shame, sir! let us throw of the mask, 'tis a cobweb one at best, and the world will see through it. It will not do thus to talk like philosophers, and act like *unrelenting tyrants*; to be perpetually sermonizing it, with liberty for our text, and actual oppression for our commentary.'

Shall the man of the South speak thus, and we be compelled to hold our peace? Mr. Chairman, I should disdain to stand here to plead for my personal security. It is not because we *fear* that we came here to give our reasons, why the Legislature should not censure freedom of speech. No, I will not fear.—Blessed be God, though the mountains be removed, and though the depths be broken up, yet will I not fear. I fear not for myself, but I fear for the liberties of my country. In behalf of my friends, of my fellow-countrymen, I ask the Committee, and through them the Legislature, to pause before they act on those documents from the South. What are they?—A demand for the unconditional surrender of the North to the South, for the surrender of the first principles of your Constitution, for the surrender of your liberties. It is a blow at the independence of your laboring classes. These documents are founded on the doctrines promulgated by Governor McDuffie, that no laboring man ought to have any hand in the affairs of government. This is not a new doctrine.—It was proclaimed in 1829, by an eminent citizen of Virginia, since strongly talked of for President of the United States. In proof of the position that the object of the South is to destroy the free labor of the North, and reduce *our laboring citizens to the moral and physical condition of their slaves*, I point to the speech of Mr. Leigh, now of the Senate of the United States; a speech delivered by him in 1829, before a single Anti-Slavery Society had been formed at the North, or a single publication been put forth, or a single writer had wielded a pen in the cause of anti-slavery. In that speech will be found, distinctly laid down, the doctrine that *the laboring population of no nation on earth, are entitled to liberty or capable of enjoying it!* He distinctly puts forth the doctrine that the mass of the people who perform the labor, are incapable of self-government. And this is the favorite theory of Governor McDuffie, that liberty cannot exist unless those who perform the offices of labor are reduced to slavery. Mr. Chairman, we are charg-

ed with aiming at disunion, when we seek what we conceive to be the only means to save the Union. I charge upon those who promulgate the doctrines on your table, a deep and foul conspiracy against the liberties of the laboring people of the North—

Mr. Lunt (Chairman of the Committee) here interrupted Mr. Goodell. I must interfere, he said, you must not charge other States with a foul conspiracy nor treat their public documents with disrespect. By the Constitution of the United States, full faith and credit must be given to the acts of a Legislature of another State.*

Mr. Goodell—Something may be pardoned to a man when he speaks for the liberties of a nation.

Mr. Lunt—You used the word conspiracy.

Mr. Goodell—If the word conspiracy is too strong I would use another; but I trust I shall not be accounted an offender for a word.

Mr. Lunt—The documents emanating from other States, are entitled to full faith and credit here.

Mr. Goodell—Certainly, Sir, I wish them to be regarded as official, accredited documents, and I refer to an accredited document from the Governor of South Carolina, in which he says that the laborers of the North are incapable of understanding or enjoying freedom—that liberty in a free state, best subsists with slavery, and that the laborers must be reduced to slavery, or the laws cannot be maintained. The Chairman says that the documents coming from other states are to be accredited, and so I say, and I take the documents as they are, and will give to them all the credit they are entitled to. There is another document to which full faith and credit should be given. I ask the Committee to look into the report of Mr. Calhoun in the Senate of the United States, on the subject of suppressing the publications against slavery. They will there find the truth forced from a Committee of southern slaveholders, that the Constitution of the

* Article 4, Sec. 1. 'Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings, shall be proved, and the effect thereof.'

[Mr. Lunt, we believe, is the first lawyer, who ever thought of applying this provision of the Constitution in any other-manner than as a rule of evidence in Courts of law. The 'faith and credit' which the Constitution means, applies merely to the authenticity of the document, not to the manner in which it is to be spoken of by the citizens of another State. Mr. Lunt may find a specimen of the sort of 'faith and credit' which Massachusetts gives to resolves of other Legislatures which she does not like, in the resolves of our Legislature in 1832, denouncing in the strongest terms the Nullification Resolves against the Tariff, sent here by South Carolina, when Gov. Hamilton was ready 'to go to the death for the sugar,' as Gov. McDuffie now is, to go to the death for slavery. A Committee of the Legislature reported, that the doctrines of the South Carolina Resolves were such, as would justify Massachusetts in withdrawing from the Union, if they were carried into effect.]

United States prohibits Congress from the exercise of any power to abridge the freedom of speech or of the press, or the right of the people peaceably to assemble, and petition the Government for a redress of grievances. A Committee in Congress, from some of the very States which call on this State to stop the mouths and the meetings of Abolitionists, dare not recommend any measures in violation of the freedom of speech and of the press, which are secured in the Constitution of the United States; and this, Sir, is a document entitled to full faith and credit—[beginning to read the doings of the Legislature of South Carolina, respecting the abolitionists, in which they declare an entire accordance with Gov. McDuffie, in the sentiments expressed in his Message.]

Mr. Lunt (the Chairman, here interposed with apparent warmth, he said)—Stop, Sir! (Mr. Goodell stopped, but remained standing.) *Mr. Lunt*—Sit down, Sir. The Committee will hear no more of this. You will not be permitted to proceed in this manner. I will not allow sneering allusions to the members of the Committee, or to the Constitution.

Mr. Goodell—My duty is discharged, Mr. Chairman, if I cannot proceed. We came here freemen, and we will go away as freemen should.

[A voice here said, from the crowd, let us go quick, before we are made slaves. Most of the audience had risen, but there was no other indication of disorder, nor could it have been apprehended, from the character of those present; the assembly being made up of refined ladies, members of the Legislature, highly educated men, and religious and moral citizens. The Chairman of the Committee appeared more excited than any other person in the Hall.]

The *Rev. Mr. May* here remarked, that they had hoped their friends would have been permitted to present to the Committee all the arguments, which they deemed important, and which they thought they had a right to do under the reference to this Committee of their Memorial to the Legislature, asking to be fully heard. If, however, they were denied by the Chairman, their right of being heard, the interview must here terminate.

The Chairman intimated that they had heard enough.

[The audience here began to leave the Hall, and there was a general, though not disrespectful indication of regret and indignation at the course taken by the Chairman.]

Dr. Gamaliel Bradford (not a member of the Anti-Slavery Society, who was present as a spectator) asked the Chairman if he might say a word as a citizen? The Chairman assented, and *Dr. Bradford* pronounced an

eloquent, thrilling, and impassioned, but entirely respectful appeal in favor of free discussion.

SIR,

I am aware of the censure, and what is often of more consequence to a retired person, the ridicule, that may attach to the interference of so humble an individual on this occasion. But I trust something to the regard for freedom of opinion, which must exist in the hearts of the committee, in that of one at least of your number who hails from a locality too near the old rock, not to feel indulgence for some extra zeal for the liberty of expression and the right of private judgment.

I have read, Sir, somewhere, of a republic of ancient times, and on the other side of the water, in which, though it was neither criminal nor shameful to be on one side of exciting questions, it was always both, to be neuter—in which though the zealous aristocrat, or democrat might be alternately ostracised, as his own, or the other party was triumphant—he had always a fair chance of regaining the ascendancy—but that he who tried to sit upon both stools was sure to fall to the ground and to be crushed beneath the vigorous efforts of the combatants above him.

But, Sir, the experience of modern times has brought with it more wisdom or moderation—a man may now sit upon the fence, as long as he pleases, calm as a summer's morning, and patiently and safely consider on which side it may finally be best for him to get down.

In regard to some questions, however, I have not yet reached this maturity. I am yet apt to be a child, when freedom of speech is brought into question—my cradle happened to be too near the old cradle of liberty—not to vibrate occasionally with the rocking of that ancient nurse of her sons—my father's crutch stood too handy in the nursery not to become a favorite hobby-horse.

As long as it was a mere argumentative question about the sayings and doings of the abolitionists—for the rights of a distant and degraded race, I can conceive of a man's balancing his respect for their philanthropy, by doubts about the good judgment and availability, of some of their efforts—of his perceiving and urging, that their zeal, even in a good cause, did sometimes eat up a portion of their discretion, and even their temper.

But, when the man of the South ventures to reach his odious cart-whip over Mason and Dixon's line, when he dares even to think of such an insult as shaking it over the head of a New-England man—I can see immediately which side of the fence is clean enough for my walking on. I for one am ready to tell him, that there were other persons imported into America, in times past, than either black or white slaves—that there was such a vessel as the good ship

MAYFLOWER, and that her cargo is not yet all out of the market.

I cannot expect, Sir, to do much for the abolitionists on such an occasion. But if I cannot stop the Juggernaut car, which is set in motion to crush them, I may at least clog its wheels a little—

‘With failing hand above my head
Can shake the fragment of a blade’

and call upon the bystanders to

‘Redeem the pennon—
Charge again—
Cry, Freemen to the Rescue’—

and not I trust, altogether, in vain.

I propose to maintain briefly, that the doings of the Massachusetts Anti-Slavery Society are not contrary to international or constitutional law and in a very slight degree such as can be considered opposed to the moral law. I shall support these positions, not by a legal argument—I am no lawyer—the committee will need no ghost to teach them that, but rather by the way of illustration and parallel—which has often quite as much effect, with plain folks like myself.

To begin with international law. Some time since, a slave ship, containing eighty negroes, from some part of our slaveholding territory—the District of Columbia, for aught I know—having been driven by stress of weather into Bermuda, the Governor of the island, forthwith set free the whole cargo without hesitation or apology. And what was the consequence? Was there any demand for redress on that occasion? Was there any cry of indignation raised in the land at this invasion of the property of our Southern brethren? If there was, it was very gentle—it never reached my ears. And why was there no such movement? Because, every body saw that it would have been absurd. The nations of civilized Europe would have derided it—our good friend Nicholas himself, faithful and true as he is, would have shook his autocratic head, and pointed to the place where Poland—was. The very turbaned Turk would have shook the ashes out of his pipe and smoothing down his beard, exclaimed, ‘O Holy prophet, what these Christians are, who let even their women go abroad, and yet wish to chain up men who have souls.’

But let us reverse the illustration; suppose, sir, instead of a goodly vessel freighted with slaves, it had been a Chebuckto boat, loaded with notions; wooden clocks, salt-fish, tin-ware and nutmegs—and that the Governor of Bermuda had laid his hands upon the cargo—set all the clocks a-going, restored to their native element the hampered cod-fish,

‘Enrob’d the roaring waters with the ware,
And scatter’d all the spices in the stream.’

And what would have been the result? Why, sir, the stripes in her buntin would have been alternately pale and red with wrath, and each particular star

sparkled with indignation. A roar of free-trade and pedlar’s rights, from the universal Yankee nation, would have shook the wall of the capitol and called upon the General to teach the aggressors the law. We should see, easily enough, that international law was with us—we see that it will protect a great many kinds of notions, but never the notion of property in man. We come next to constitutional law.

There is no pretence that the abolition movement is forbidden by the letter of the Constitution—and how shall we discover its spirit in regard to it. We can judge of the spirit of an agreement by observing the conduct of honest and intelligent parties to it. Let us with this view, consider the conduct of one man—of him who has been worthily styled, by a most adequate judge, the American Socrates—Benjamin Franklin.

‘I hope,’ said he, in his final speech in the Convention, ‘that for our own sakes as a part of the people, and for the sake of our posterity, we shall act heartily and unanimously, in recommending this Constitution, wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered.’

And thereupon he signed the Constitution—and returning home spent a considerable part of the remainder of his life in doing, as you will find shown in one of the pamphlets on your table, just what the abolitionists are doing now. He acted as President of an Abolition Society, under an act of incorporation, in which such extraordinary provisions are made for its perpetuity, that it seems to me that the abolitionists of our day would not find much difficulty in reviving and acting under its charter, and the laws of Pennsylvania. He signed a petition to Congress on the subject, and, when a debate arose there, on these abolition petitions, published a most cutting parody on the arguments and conduct of the Southern opposers of the prayer of the petitions—comparing them to those of Algerine pirates.

Now, Sir, it follows if the present pretensions of the South are correct, that either Doctor Franklin did not understand the contract which he had just signed—or else that he deliberately disregarded its obligations. I am willing to present this dilemma to our Southern brethren and allow them to impale themselves on either of its horns which they prefer. But I hope no New-England man—I trust no Massachusetts man—I am sure no Boston man—will be willing to accept either of the propositions—when one of them makes out Franklin a fool, and the other stamps him a scoundrel.

I come last to the moral law. The abolitionists, as we all do, Sir, look for the moral law in the Bible—they hold that the law and prophets hang from the precept ‘Thou shalt love thy neighbor as thyself.’ ‘But who,’ says their opposer, ‘is my neighbor?’—

and here, sir, if the abolitionists have committed some errors, it has been from a mistake, which our Southern brethren should be the last to object, that of too strict construction. To the question 'Who is my neighbor?' they have supposed themselves to find the whole answer in the account of the 'man who fell among thieves.'

This, Sir, seems to me the amount of their delinquency—and if the consequence is that damage must be done, in their persons, to the great principles of the liberty of speech and of the press, and the right of private judgment, I hope the blow will not come from a Massachusetts Legislature—it would be a parricidal blow.

The *Rev. Mr. May* here said to the Chairman, that he wished to be understood on the part of the Memorialists. They had formerly appeared merely by permission of the Chairman, but they had now come under the sanction of the Legislature, who had granted their memorial to be heard before the Committee.—We do not think we have been permitted to do, what we asked of the Legislature permission to do, and what, by referring our Memorial to this Committee, we think they intended we should be permitted to do, as a right.

Mr. Lunt—How, Sir?

Mr. May—We have been stopped in what we consider the most important part of our argument, and subjected to interruptions and a treatment which has, in effect, denied to us a full and fair hearing.

Mr. George Bond of Boston, desired to say a few words to the Committee in the present aspect of the subject. He came here accidentally, as a spectator, having been engaged before a Committee in the Senate Chamber, and entered the Hall while one of the petitioners (*Mr. Sewall*) was about closing his remarks. I am not a petitioner, nor an abolitionist, and belong to no Society connected with the question of slavery. But though opposed to some of the measures of the abolitionists, I hold to some opinions in common with them. If, under these circumstances, the Committee will permit, I beg leave to offer a few remarks.

[*Mr. Bond* here waited for a reply. The chairman preserved silence, but the gentleman of the Committee nearest to him, (*Mr. Lucas*) intimated that he might proceed.]

It strikes me, said *Mr. B.*, that this is a subject of deep and vital importance, to other and higher principles than those involved in the question of slavery or anti-slavery; and I fear, as a citizen, that the manner in which this subject has been treated by the Committee, will produce an excitement throughout the Commonwealth.

With due respect to the Committee, I beg leave to say, that from the little experience I have had in leg-

islative proceedings, it is not the practice to require of persons appearing before a Committee a strict conformity to rules. They are not expected to know them and are therefore usually indulged in telling their own story in their own way—provided it be not disrespectful.

And, Sir, if in the warmth of a discussion on a subject of deep interest, the bounds of strict propriety should be overstepped, is it expedient to regard it as an offence? I trust, Sir, I shall not trench on forbidden ground, but I feel desirous that the petitioners should be treated as other citizens are, and be patiently heard although their language may not be such as suits the Committee.

I have certainly heard nothing from the gentlemen of the Anti-Slavery Society that called for the course that has been adopted, and it does seem to me that the Committee are too fastidious—too hypercritical—

Mr. Lunt. Be careful what you say, Sir. The Committee will not submit to it.

Mr. Bond. I certainly have no wish to say any thing unpleasant to the Committee, but I cannot but regret the course that has been taken to withhold a hearing from the parties interested. The consequences must be unfavorable even to the object the Committee have in view. It will tend to increase excitement. It seemed to me that this was a simple case of hearing citizens before a Committee. Those who appear before the Committee, came here through their memorial, asking a hearing, which had been received by the Legislature and referred to this Committee, and I supposed that the Committee would allow the gentlemen who came here, to say what they pleased, using proper language. If they state their case improperly, it will injure them, and not the Committee. I may be wrong, but I regret to see grounds given for the gentlemen and their friends to say they have been denied a hearing. The action on this question here is of immense importance in the influence it may have, not only upon those who appear before the Committee, but upon the Legislature, the community, the Commonwealth, and the whole country. I can but hope that the Committee will permit the gentlemen to say all they wish to.

[When *Mr. Bond* closed, a voice in the Gallery said audibly, I say Amen, and others said ditto. Order was immediately restored by the call of the Sergeant at Arms. The Committee broke up, without a formal adjournment, the Chairman immediately retiring. As they rose, *Mr. Mosely*, one of the Committee, said to the Chairman—'I am not satisfied with this conduct. You have been wrong from the beginning. I will not sit in such a Committee.' The numerous audience very shortly retired from the Hall, earnestly expressing, in conversation, their astonishment and regret, and in some cases indignation, at the conduct of the Chairman of the Committee.]

After the second interview, the Managers of the Mass. Anti-Slavery Society met, and, after consultation, concluded to ask nothing further of the Legislature. They were of the opinion, that so many persons were witnesses of what had transpired between them and the Committee, that the case would be fairly represented to the public; and that the members of the Legislature who were present, would make known to the Senate and House, that the Abolitionists had not been admitted to a fair hearing by the Committee, should the Report of the Committee, or the discussion upon the Report, be such as to require from them such a disclosure.

On the morning of the 9th, however, Hon. Mr. Whitmarsh, of the Senate, a gentleman till then unknown to the Abolitionists, saw fit to declare, in his place, that he had been a witness of the procedure of the Committee, and that the members of the Anti-Slavery Society had been very improperly treated, and had not been permitted to do, what they had respectfully asked leave of the Legislature to do, in their remonstrance of the 5th, which had passed both branches of the Legislature. He therefore moved that the Committee be increased by the addition of as many, as then composed it, and that the members of the Anti-Slavery Society be admitted to a full and fair hearing. This gave rise to an earnest debate—and the motion of the Hon. gentleman was set aside on the plea, that as the remonstrants had not themselves complained of the treatment they had received from the Committee, it was not proper to enter a complaint for them—that it would be time to censure the Committee, when it should be found, on the representation of the party injured, that they had not conducted in a manner worthy the representatives of the Legislature of this Commonwealth.

In consequence of this occurrence in the Senate, it seemed to the Abolitionists due to themselves, and to the gentleman, who had so generously undertaken to vindicate their rights, to inform the Legislature, that they had not received from their Committee the treatment, which they had a right to expect, and leave this simple statement in the hands of the Legislature, without asking any further hearing. The following Memorial was therefore presented on the morning of the 19th.

To the Honorable Senate of the Commonwealth of Massachusetts.

The Memorial of the Massachusetts Anti-Slavery Society respectfully represents,

That, although they have been partially heard before the Joint Committee of the Legislature to whom their recent petition was referred, yet your Memorialists respectfully declare, that the majority of the Committee would not grant them a full hearing of the arguments which they proposed to address to said Committee, but that they were interrupted, when advancing arguments entirely relevant, as they believe, to the subject before the Committee, and thus prevented from presenting their views on subjects of the deepest importance to themselves and the other citizens of this Commonwealth. Your Memorialists would, therefore, most respectfully, protest against the passage of any law for suppressing abolition societies, or declaring the circulation of the publications of abolitionists a penal offence, and against the passage of any resolutions censuring the measures of such societies or of abolitionists generally, believing that it would be a gross invasion of the rights of citizens, either to enact penal laws against them, or to censure their principles and measures without allowing them to be heard fully and patiently in their defence.

JOSEPH SOUTHWICK, *President.*

HENRY E. BENSON, *Secretary.*

Boston, March 9, 1836.

